

**PB# 01-44**

**Nextel Communication  
(SP & Spec. Permit)**

**29-1-26.11**

01-44

NEXTEL COMMUNICATIONS SITE  
& SPECIAL PERMIT (SNYDER)  
RT. 207 COMMUNICATION TOWER

Approved

11-16-01



PLANNING BOARD  
TOWN OF NEW WINDSOR

-----X  
In the matter of the Application of

NEXTEL OF NEW YORK, INC.  
d/b/a NEXTEL COMMUNICATIONS

Premises: Route 207, New Windsor, New York  
Section 29, Block 1, Lot 26.11

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**MEMORANDUM IN SUPPORT OF APPLICATION BY  
NEXTEL OF NEW YORK, INC.  
FOR A SPECIAL USE PERMIT AND SITE PLAN APPROVAL FOR  
A WIRELESS TELECOMMUNICATIONS FACILITY**

**I. Introduction**

Nextel of New York, Inc. d/b/a Nextel Communications ("Nextel" or "Applicant") respectfully submits this memorandum in support of its application to install a wireless telecommunications facility ("Facility") on the property ("Property") located at Route 207, New Windsor, New York. The Facility will consist of a one hundred fifty (150') foot monopole with panel antennas mounted thereon, together with a two hundred forty (240) square foot equipment shelter at the base thereof.

**II. Statement of Facts**

The Property is eighty four (84) acres in size, is known as Section 29, Block 1, Lot 26.11 on the Town of New Windsor Tax Map, and is located in the Office and Light Industry (OLI) Zoning District. The district is currently utilized by a commercial storage facility. Pursuant to the Zoning Code of the Town of New Windsor (hereinafter the "Zoning Code"), §48-9, entitled "Use Regulations", and §48-21(M), entitled Telecommunications towers (hereinafter the "Wireless Law"), the Facility is permitted at the Property by special use permit and site plan approval from the New Windsor Planning Board.

The proposed Facility will be utilized by Nextel to provide personal wireless services to the Town of New Windsor (hereinafter the "Town"). The Facility will consist of a one hundred fifty (150') foot monopole with twelve (12) small panel antennas (each 48 inches high by 8 inches wide by 8.5 inches deep) mounted thereon, together with a two hundred and forty (240') square foot equipment shelter at the base thereof. A detailed site plan depicting the Facility, prepared by Tectonic Engineering Consultants, P.C., dated April 26, 2001 (the "Site Plan"), is submitted herewith.

### **III. Public Utility Status**

Under the laws of the State of New York, Nextel qualifies as a public utility. See Cellular One v. Rosenberg, 82 NY2d 364 (1993) (hereinafter referred to as "Rosenberg") and Cellular One v. Meyer, 607 NYS 2d 81 (2nd Dept. 1994). In Rosenberg, *supra*, the Court of Appeals (New York's highest court), held that federally licensed wireless carriers, such as Nextel, provide an essential public service, and are therefore public utilities in the State of New York. Public utilities are accorded favored treatment in zoning matters.

Nextel's status as a public utility is underscored by the fact that its services are an important part of the national telecommunications infrastructure and will be offered to all persons that require advanced digital wireless communications services, including local businesses, public safety entities, and the general public.

In addition to its status as a public utility, kindly note that Nextel is licensed by the Federal Communications Commissions ("FCC"). The FCC requires Nextel, as a provider of enhanced specialized mobile radio services, to complete the construction and build-out of its wireless network and fill coverage gaps in its federally licensed service area, which includes the Town of New Windsor. Nextel's specialized mobile radio system combines voice, data and text messaging, enabling it to provide mobile telephone, paging and dispatch service through a single handset. Nextel's service is, therefore, unique, and provides great flexibility to public and private users.

There is also a public need for Nextel's service, as evidenced by the granting of a license by the FCC. Such a grant constitutes a finding that the public interest will be served by Nextel's services and is consistent with the public policy of the United States "to make available so far as possible, to all people of the United States a rapid, efficient, nationwide and world-wide wire and radio communication service with adequate facilities at reasonable charges, for the purpose of national defense, for the purpose of promoting safety of life and property through the use of wire and radio communication . . . [.]" 47 U.S.C. §151.

Please also note that under the Federal Communications Act of 1934, as revised in 1993, Nextel is subject to FCC regulation as commercial mobile services ("CMS") common carrier. See 47 U.S.C. §332. A CMS common carrier must provide service in all parts of its coverage area, upon reasonable request. Therefore, to fulfill its common carrier and public utility obligations, Nextel must be able to serve all parts of New Windsor.

The instant application is filed in furtherance of the goals and objectives established by Congress under the federal Telecommunications Act of 1996. The federal Telecommunications Act of 1996 is "an unusually important legislative enactment," establishing national public policy in favor of encouraging "*rapid deployment of new telecommunications technologies* (emphasis supplied)." Reno v. ACLU, 521 U.S. 844 (1997). The federal Telecommunications Act of 1996 builds upon the federal regulatory framework for commercial mobile [radio] services which Congress established in 1993, and which was designed to "foster the growth and development of *mobile services* that, by their nature, *operate without regard to state lines* as an integral part of the *national telecommunications infrastructure*." H.R. Rep. No. 103-111, 103d Cong., 1st Sess. 260 (1993) (emphasis added).

#### **IV. The Proposed Facility Meets the Standards for a Special Use Permit**

The instant application respectfully requests special use permit approval in accordance with the specific standards set forth in §§48-21(M) of the Wireless Law, the specific site development plan standards set forth in §48-19 of the Zoning Code, and the special permit standards set forth in §48-19.1 of the Zoning Code, as applicable to the proposed Facility.

A special permit use is permitted as of right when the applicant has demonstrated compliance with the applicable standards. See Matter of North Shore Steak House v. Board of Appeals of Inc. Vil. of Thomaston, 30 N.Y.2d 238 (1972). In reviewing the proposal, the following factors are offered for consideration in accordance with the Wireless Law and Zoning Code:

##### **A. Sections 48-21(M)(5)-(21) of the Wireless Law:**

###### **1. Wireless Law - Shared Use Requirement:**

Pursuant to the Wireless Law, the Planning Board may consider a new telecommunications tower when the applicant demonstrates that shared use of existing tall structures and existing or approved towers is impractical. As required by Sections 48-21(M)(5), (6) and (7) of the Wireless Law, attached hereto and made a part hereof as Exhibit 1 is the affidavit of Carlo Saenz, a real estate consultant for Nextel employed by Network Development Consulting (hereinafter the "Saenz Affidavit"). The Saenz Affidavit inventories all existing tall structures and towers within a two (2) mile distance of the proposed site, and reports that despite good-faith efforts, all existing alternate structures are not viable due to the physical and technical restraints of the structures and locations, or in the case of the existing WGNV tower, the unwillingness of the property owner to enter into a lease agreement with Nextel.

In addition, as set forth in the affidavit by Nextel radio frequency engineer Dominick Scaramuzzino (hereinafter the "Scaramuzzino Affidavit"), attached hereto and made a part hereof as Exhibit 2, the available structures within the two (2) mile radius of the proposed Facility are impractical from a technical standpoint as the sites would not remedy Nextel's significant gap in reliable coverage in the vicinity of the proposed Facility. The Scaramuzzino Affidavit also demonstrates the need for the proposed Facility in order to remedy Nextel's significant gap in reliable coverage, and provides technical data regarding existing signal coverage.

Finally, pursuant to the requirements of Section 48-21(M)(8) of the Wireless Law, attached hereto and made a part hereof as Exhibit 3 is a letter of intent from Nextel. The letter commits Nextel to negotiate in good faith for the shared use of the proposed tower by a reasonable number of other telecommunications providers in the future. Hence while shared usage in the vicinity of the proposed Facility is currently impracticable, by approving the Facility the Planning Board would further the Town's objective of minimizing the number of telecommunications towers in the community by encouraging shared use of the proposed Facility.

2. Wireless Law - Site Plan Review; Submission Requirements:

Pursuant to Section 48-21(M)(9) of the Wireless Law, the submitted site plan complies with §48-19 of the Zoning Code, and depicts all relevant existing and proposed structures and improvements. As required, additional supporting documentation includes a complete long EAF and visual environmental assessment form, which are collectively attached hereto and made a part hereof as Exhibit 4. In addition, the Scaramuzzino Affidavit outlines the proposed use and justification for the height of the proposed tower.

3. Lot size and setbacks:

The proposed Facility is located on a single eighty-four (84) acre parcel with substantial setbacks, thereby sufficiently containing any feasible ice-fall or debris from tower failure, and also preserving the privacy of the adjoining properties. The monopole setback from the nearest property line is five hundred and ten (510') feet, much greater than the required seventy-five (75') feet (half of the height of the proposed one hundred fifty (150') foot monopole). Additionally, all equipment and utility structures more than comply with the minimum setback requirements for the OLI district in which the proposed Facility is located.

4. Visual Impact Assessment, Tower design and Screening:

A Visual Analysis, prepared by Creative Visuals, Inc. & Virtually Real, Inc., dated May 2001, is attached hereto and made a part hereof as Exhibit 5. The Visual Analysis, composed of pictorial representations from key viewpoints in the vicinity of the proposed Facility, and based upon 'crane test' photos taken on May 15, 2001, demonstrates that the Facility will not have any significant adverse visual impact on the surrounding area.

First, the proposed Facility will be camouflaged by both vegetation and design in order to minimize any aesthetic impact associated with the Facility to the maximum extent possible. Specifically, the existing vegetation surrounding the Facility location, will be supplemented by a six (6') foot high fence with green vinyl slats and a proposed dense landscaped buffer, consisting of six (6') foot evergreen trees. This proposed dense buffer has been designed to create an effective year-round visual buffer in all directions surrounding the Facility. Moreover, the proposed one hundred fifty (150') foot monopole has been designed with a galvanized finish that minimizes its degree of visual impact, and is appreciated for its ability to visually blend with the sky. The proposed monopole is also designed to accommodate future shared users, thereby further limiting any additional visual impact necessitated by future communications towers in the vicinity.

Second, to further limit any impact, as certified in the Scaramuzzino Affidavit, the proposed tower is designed at the minimum height necessary to allow Nextel to remedy its significant gap in reliable coverage in the vicinity of the Facility and within the Town. A study dated May 17, 2001, attached hereto and made a part hereof as Exhibit 6, found that due to the proximity of Stewart Airport, the proposed Facility technically requires FAA lighting. However, an application for a lighting waiver has been filed with the FAA on the basis that the nearby approximately two hundred (200') foot tall lighted WGNV radio tower provides sufficient aviation warning for the lower tower height of the proposed Facility.

Third, the proposed two hundred forty (240') square foot equipment shelter is designed with an aggregate finish to blend in with the natural surroundings. Also, no retail or commercial signs will be installed on the Facility whatsoever. The only signage proposed shall be a no-trespassing sign on the proposed six (6') foot stockade fence, together with a twenty-four hour emergency telephone number posted adjacent to the entry gate. Thus as noted above, the Facility will be effectively screened from the surrounding area by the existing and proposed fencing and vegetation, and is designed to minimize any adverse visual and aesthetic impact associated with the proposed Facility, in the OLI district in which it is located, or in an surrounding areas.

5. Access and Parking:

Adequate emergency and service access is provided to the proposed Facility through a proposed gravel access drive. Additionally, a proposed 'turnaround' with a 10' x 20' parking space will provide adequate emergency and service access, and provide for the approximately once a month maintenance visits to the Facility.

6. Fencing:

Pursuant to Section 48-21(M)(17) of the Wireless Law, the proposed Facility will be adequately enclosed by six (6') foot high fence, with an additional one (1') foot barbed wire extension. The fence will be fitted with green vinyl slats to provide additional protection and screening. A twelve (12') foot wide gate will provide suitable access for emergency purposes.

7. Safety Standards

First, the proposal will comply with the FCC Guidelines regarding health and safety, as evidenced by a report ("E&K Report") from RF Emissions Experts of Edwards & Kelcey, which is attached hereto and made a part hereof as Exhibit 8. The E&K Report establishes that the Facility will be in complete compliance with all applicable FCC standards. In particular, the E&K Report notes that any human exposure to the electromagnetic energy from the proposed Nextel antennas, even under the "worst case" conditions, will be 0.384% of the exposure limits established by the FCC as required by the Telecommunications Act of 1996.

Second, as noted above, the Facility shall be secured by a seven (7') foot high total fence and barbed wire barrier to prevent public access to, climbing upon, or other trespass on the Facility. This barrier, along with the substantial Facility setbacks noted above, will also protect the public from any falling or blowing ice and other debris.

8. Intermunicipal notification for new towers:

Pursuant to Section 48-21(M)(20) of the Wireless Law, each municipality bordering the Town, the Orange County Planning Department, and the Orange County Emergency Communications Department were notified in writing. The notifications include the location of the proposed Facility and a general description of the project. Documentation of this notification is attached hereto and made a part hereof as Exhibit 8.

**B.     Section 48-19 of the Zoning Code-Site Plan Review  
          Section 48-19.1 of the Zoning Code-Special Permits**

**1.     Application Filing Requirements:**

It is respectfully submitted that the proposal complies with the site plan and special permit requirements set forth in §48-19 and §48-19.1 of the Zoning Code. The proposal takes into consideration the public health, safety and welfare, and the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular, since the proposal will comply with the general objectives set forth in §48-19 and §48-19.1 as follows:

Fire and police protection. All proposed structures, equipment or material shall be readily accessible for fire and police protection from Toleman Road, via the proposed improved gravel access drive.

Harmony. The Facility will be in such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties. This is due to the proposed Facility location in the OLI commercial zoning district on the eighty-four (84) acre Property. The district is currently utilized for a commercial storage facility. In addition, the monopole is proposed at a the minimum necessary height of one hundred fifty (150') feet, and will comply with all other bulk and setback requirements. Furthermore, the proposed use will not generate any type of environmental pollution, including vibration, noise, light, electrical discharges, odors, smoke, dirt, refuse or irritants, on the Property or adjacent properties or streets.

Environmental considerations. It is respectfully submitted that the proposed use will not have a significant impact on the environment, for several reasons. First, the Facility complies with all required setbacks and dimensional requirements of the Zoning Ordinance. Second, all natural features of the Site will be preserved, and in fact a comprehensive landscaped buffer will be installed to further screen the Facility. Third, the Facility is unmanned and does not require water supply, waste disposal or any other public services. Moreover, drainage will not be impacted by the Facility, due to the proposed gravel access drive and gravel surfacing around the Facility, as well as the proposed soil erosion control plan, including the installation of a silt fence during construction.

Moreover, the Facility will comply with the specific design requirements for site plan and special permit approval as follows:

Traffic Access. All proposed traffic accesses are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and safe, due to the Facility's location toward the middle of the Property, which is readily accessible via a proposed gravel access drive which will connect to Toleman Road. In addition, the Facility layout is such that any vehicular traffic to and from the Property will not be hazardous or inconvenient to, or incongruous with, any surrounding residential district traffic nor conflict with the traffic of the neighborhood.

Circulation and Parking. Adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any person connected with or visiting the Facility, and the interior circulation system is adequate to provide safe accessibility into and within the Property. The Facility is unmanned and does not generate any additional traffic nor require additional off-street parking, with the exception of the maintenance visits of approximately once per month. There is ample off-street parking for Nextel's personnel to accommodate the monthly maintenance visits. Moreover, no loading areas are required nor proposed in connection with the Facility. Finally, the existing interior circulation system is adequate to provide safe access into and within the Property for such monthly maintenance visits.

Landscaping and Screening. All parking and service areas on the Property will be reasonably screened during all seasons of the year from the view of adjacent residential lots and streets, due to the existing vegetation on the Property and the extensive additional landscaping proposed by the Applicant. In addition, the general landscaping of the Property will be in harmony with that generally prevailing in the neighborhood, since the proposed landscaping will consist of evergreen species. Finally, all existing trees over eight (8) inches in diameter will be preserved in connection with the Facility.

Character and Appearance. The character and appearance of the proposed Facility will be in general harmony with the character and appearance of the surrounding neighborhood and that of the Town of New Windsor, and will not adversely affect the general welfare of the inhabitants of the Town of New Windsor, since the Facility will be effectively camouflaged by existing vegetation, proposed landscaping, and the design of the Facility to blend in with the existing vegetation and structures in the area.



In fact, the proposal will actually enhance the surrounding area by providing improved communications to residents and businesses. Thus, only a desirable change will be produced by the grant of the special use permit. By granting the requested approvals, the Planning Board will enable the Applicant to serve the neighborhood and benefit the entire community, by offering a wireless telecommunications alternative, which is particularly well suited for responding to accidents, natural disasters, and for reporting medical emergencies and other dangers such as potential criminal activity.

Specifically, wireless phones are essential for protecting public health, safety and welfare, particularly by providing mobile access to 911 services. This fact is conclusively documented by the most recent survey of the Cellular Telecommunications Industry Association ("CTIA"), a copy of which is attached hereto as Exhibit 9, together with several recent letters to area newspapers describing the public benefit of mobile phones. Based upon information provided by police agencies, the CTIA survey documents that 51 million wireless calls were made to 911 or other emergency services during the year 2000--**an average of 140,000 calls per day or 96 calls per minute**. Since most emergency calls from wireless phones are to report accidents and other emergencies, it is clear that a gap in wireless coverage deprives a community of a vital tool to report crimes, accidents, fires, medical emergencies, and other threats to public health, safety and welfare. In fact, Nextel recently donated 245 wireless phones to the National American Red Cross for disaster relief support (see News Release included in Exhibit 9 hereto). Thus, any potential impact on the community created by the approvals is minimal and of no significant adverse effect.

### **Conclusion**

By granting the requested approvals, the Planning Board will create a benefit not only to Nextel, by permitting it to comply with its mandate to provide reliable coverage, but also to the neighborhood, by providing greater efficiency to local businesses, residents and public service entities. Any potential impact on the community created by the proposal has been shown to be minimal and of no significant adverse effect.

**WHEREFORE**, for all of the foregoing reasons, Nextel respectfully requests that the Planning Board issue a negative declaration under the State Environmental Quality Review Act and grant the requested Special Use Permit and Site Plan approvals forthwith.

Dated: June 6, 2001  
Tarrytown, New York

Respectfully submitted,  
Seth M. Mandelbaum, Esq.  
SNYDER & SNYDER, LLP  
94 White Plains Road  
Tarrytown, NY 10591

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PLANNING BOARD  
TOWN OF NEW WINDSOR

-----X

In the matter of the Application of

**Affidavit**

NEXTEL OF NEW YORK, INC.  
d/b/a NEXTEL COMMUNICATIONS

Premises:     Rock Tavern Industrial Park  
                  Route 207  
                  New Windsor, New York  
                  Section 29, Block 1, Lot 26.11

-----X

State of New York             )  
                                      ) ss.:  
County of Rockland            )

**CARLO SAENZ**, being duly sworn, deposes and says:

1.     I am a real estate consultant for Nextel of New York, Inc., doing business as Nextel Communications ("Nextel"). I am employed by Network Development Consulting, 572 Route 303, Blauvelt, New York.

2.     I respectfully submit this affidavit in support of the application by Nextel, for approval from this Honorable Board, for the installation of a new telecommunications tower ("Facility") at the property located at the Rock Tavern Industrial Park, Route 27, New Windsor, New York ("Site"). The Facility consists of a one hundred fifty (150') foot monopole with twelve (12) small Nextel panel antennas mounted thereto, together with a two hundred forty (240) square foot equipment shelter at the base thereof. The Site is located in the Office and Light Industry (OLI) Zoning District, wherein the Facility is permitted by special permit from the Planning Board.

3. This affidavit represents the survey of existing structures and towers required by Sections 48-21.M.5, 6 and 7 of the Town of New Windsor Zoning Code ("Zoning Code").

4. As set forth in the enclosed affidavit of Dominick Scaramuzzino ("Scaramuzzino Affidavit"), a radio frequency engineer employed by Nextel, Nextel currently has a significant gap in reliable coverage in the Town of New Windsor, and the proposed Facility will remedy the significant gap in Nextel's coverage, while providing for the future shared use of the Facility by other wireless telecommunications carriers.

5. In accordance with Sections 48-21.M.5, 6 and 7 of the Zoning Code, I have performed a two (2) mile survey around the area of the proposed Site, within which Nextel currently has a significant gap in coverage. The purpose of this survey was to determine whether there are any existing tall structures above 35 feet and existing or approved towers within the two (2) mile radius, which could be utilized for the installation of the Facility. This survey discovered only three (3) possible alternative structures, all of which proved impractical. Attached hereto as Exhibit A is a map showing these three (3) potential alternative locations, as well as the proposed Site.

3. This affidavit represents the survey of existing structures and towers required by Sections 48-21.M.5, 6 and 7 of the Town of New Windsor Zoning Code ("Zoning Code").

4. As set forth in the enclosed affidavit of Dominick Scaramuzzino ("Scaramuzzino Affidavit"), a radio frequency engineer employed by Nextel, Nextel currently has a significant gap in reliable coverage in the Town of New Windsor, and the proposed Facility will remedy the significant gap in Nextel's coverage, while providing for the future shared use of the Facility by other wireless telecommunications carriers.

5. In accordance with Sections 48-21.M.5, 6 and 7 of the Zoning Code, I have performed a two (2) mile survey around the area of the proposed Site, within which Nextel currently has a significant gap in coverage. The purpose of this survey was to determine whether there are any existing tall structures above 35 feet and existing or approved towers within the two (2) mile radius, which could be utilized for the installation of the Facility. This survey discovered only three (3) possible alternative structures, all of which proved impractical. Attached hereto as Exhibit A is a map showing these three (3) potential alternative locations, as well as the proposed Site.

6. The first possible alternative location consists of a sixty (60') foot guyed lattice tower attached to the building at Dynamic Plumbing, on Route 207. This existing structure is of insufficient height to remedy the significant gap in reliable coverage currently experienced by Nextel in the Town of New Windsor, as demonstrated by the enclosed Scaramuzzino Affidavit. Thus, in order to meet Nextel's coverage requirements, as well as address the structural instability of the existing tower, the existing tower would have to be replaced with a new taller monopole, and moved away from the building. However, there is insufficient area on the property for such a new monopole, and in any event, such a new monopole would not meet the necessary lot setbacks required under the Zoning Code. Thus, this location is not a feasible alternative to the proposed Site.

7. The next possible alternative location consists of approximately forty (40') foot high electrical transmission poles on Toleman Road. These poles have insufficient height upon which Nextel could install its antennas in order to remedy the significant gap in reliable coverage currently experienced by Nextel in the Town of New Windsor, as demonstrated by the Scaramuzzino Affidavit. Thus, this location is not a feasible alternative to the proposed Site.

8. The third location consists of an approximately two hundred (200') foot guyed WGNV radio tower, located off of Toleman Road. Although Mr. Scaramuzzino has informed me that this tower could be utilized to remedy Nextel's significant gap in coverage, WGNV has indicated that it is not interested in leasing space

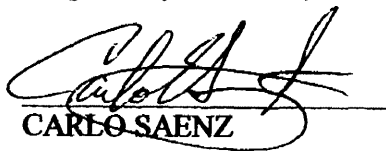
on the tower to Nextel. Since February, 2001, I have made both verbal and written inquiries to WGNV regarding Nextel's interest in entering into a lease agreement with WGNV. Attached hereto as Exhibit B are copies of my initial letter to WGNV, dated February 22, 2001; my follow-up letter dated April 22, 2001; and my final letter dated May 30, 2001. To date, no written responses have been received from WGNV, and all verbal responses were negative. Thus, this location is not a feasible alternative to the proposed Site.

9. Since all three (3) of the potential alternate locations within the two (2) mile radius of the proposed Facility have been proven to be impractical, the proposed new telecommunications tower is required at the Site to remedy the significant gap in reliable coverage currently experienced by Nextel in the Town of New Windsor.

Conclusion

Based on the foregoing, I respectfully request that the application by Nextel should be favorably considered by this Honorable Board, and the requested approvals should be granted forthwith.

Respectfully submitted,

  
CARLO SAENZ

Sworn to before me this  
7<sup>th</sup> day of ~~May~~ <sup>June</sup>, 2001

  
Notary Public

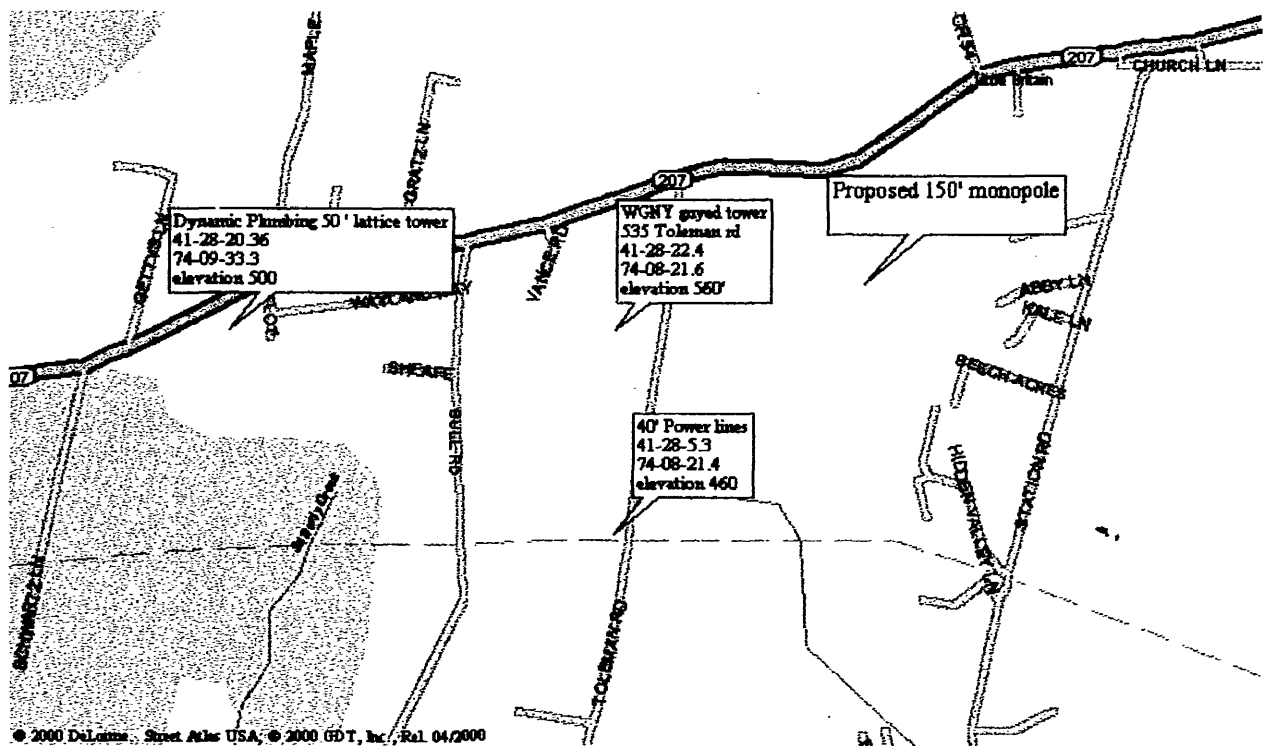
SETH M. MANDELBAUM  
NOTARY PUBLIC, State of New York  
No. 02MA5078845  
Qualified in Queens County  
Commision Expires June 2, ~~1999~~

2003



Inventory of structures in a 2 mile radius of the proposed site.

Map of area with the two structures the proposed site:



February 22, 2001

Mr. Robert Maines  
WGNY  
PO BOX 2307  
Newburgh, NY 12550

**RE: Proposal for Placement of Radio Communications Sites "Facilities" at the  
WGNY tower located at 535 Toleman Rd.**

Dear Mr. Maines;

As we discussed, I am a Real Estate Specialist with Network Development Consulting, LLC ("NDC"). Nextel of New York, Inc., d/b/a Nextel Communications ("Nextel") has contracted Network Development Consulting for the purposes of identifying and acquiring locations for the placement of Cellular Telecommunication facilities in Orange County.

Nextel is interested in negotiating a lease agreement for ground and tower space at the WGNY tower located at 535 Toleman Rd, Rock Tavern, NY. The space required would be approximately 240 square feet (12 x 20 feet) located at the base of the tower. Nextel will place a prefabricated equipment shelter, approximately 200 square feet (12 feet x 20 feet) within the leased area. The site will be enclosed by a chain link fence and will be landscaped. In addition Nextel will place 12 panel antennas on the Tower. Nextel will require the design specifications for the tower to determine if the tower will support Nextel's equipment. The site will be unmanned and only require electric and telephone service.

For the right to lease space for the proposed installation, NEXTEL is willing to pay a rental fee of \$ 1,200.00 per month for the above mentioned lease.

Nextel standard lease Agreements is for an initial term of five (5) years with four (4) - five (5) year renewals. I have enclosed a draft of a standard NEXTEL Lease Agreement for your review and consideration. Please contact me with any questions or comments you may have. My phone # is (845) 680-0030 ext 306.

I appreciate your time and consideration of this matter.

Very truly yours,

  
Carlo Saenz,

April 11, 2001

Mr. Robert Maines  
WGNY  
PO BOX 2307  
Newburgh, NY 12550

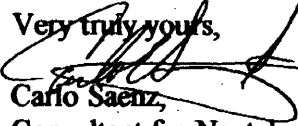
**RE: Proposal for Placement of Radio Communications Sites "Facilities" at the  
WGNY tower located at 535 Toleman Rd.**

Dear Mr. Maines;

I sent you a proposal on February 22, 2001. I have not received a response, if I do not receive a response by April 20, 2001, Nextel will pursue alternative sites.

I appreciate your time and consideration of this matter.

Very truly yours,

  
Carlo Saenz,  
Consultant for Nextel  
Communications.

May 30, 2001

Mr. Robert Maines  
WGNV  
PO Box 2307  
Newburgh, NY 12550

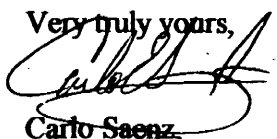
**RE: Proposal for Placement of Radio Communications Sites "Facilities" at WGNV  
tower located at 535 Toleman Rd.**

Dear Mr. Maines,

As you recall, I previously contacted you both verbally and by letters dated February 22, 2001 and April 11, 2001, to express Nextel's interest in entering into a lease agreement for the installation of Nextel's antennas and ground equipment at the WGNV tower referenced above. While you verbally indicated that WGNV is not interested in entering into such an agreement, I have no written confirmation of WGNV's lack of interest. If WGNV is still not interested in entering into a lease agreement with Nextel, kindly confirm same by signing and dating this letter, and returning the letter by fax at (845)680-0044 and in the provided stamped envelope.

In the event WGNV is now interested in entering into a lease agreement with Nextel, please contact me at your earliest possible convenience at 845-680-0030 ext. 306.

Very truly yours,



Carlo Saenz,  
Consultant for Nextel

Communications.

I hereby attest to WGNV's lack of interest  
in entering into a lease agreement with Nextel.

\_\_\_\_\_  
Robert Maines for WGNV.

Dated: \_\_\_\_\_

PLANNING BOARD  
TOWN OF NEW WINDSOR

-----X

In the matter of the Application of

**Affidavit**

NEXTEL OF NEW YORK, INC.  
d/b/a NEXTEL COMMUNICATIONS

Premises:     Rock Tavern Industrial Park  
                  Route 207  
                  New Windsor, New York  
                  Section 29, Block 1, Lot 26.11

-----X

State of New York             )  
                                      ) ss.:  
County of Westchester        )

**DOMINICK SCARAMUZZINO**, being duly sworn, deposes and says:

1.     I am a radio frequency engineer employed by Nextel of New York, Inc., doing business as Nextel Communications ("Nextel"). As a radio frequency engineer, I am trained to identify gaps in coverage in wireless communications systems and to assess the ability of proposed antenna sites to remedy gaps in signal coverage.

2.     I respectfully submit this affidavit in support of the application by Nextel, for approval from this Honorable Board, for the installation of a new telecommunications tower ("Facility") at the property located at the Rock Tavern Industrial Park, Route 207, New Windsor, New York ("Site"). The Facility consists of a one hundred fifty (150') foot monopole with twelve (12) small Nextel panel antennas mounted thereto, together with a two hundred forty (240) square foot equipment shelter at the base thereof.

3. This affidavit, together with the enclosed affidavit by Carlo Saenz ("Saenz Affidavit"), demonstrates the need for the proposed Facility, provides data regarding signal coverage, and investigates the technical feasibility of locating on existing structures and towers, as required by Sections 48-21.M.5, 6, 7 and 9(b) of the Town of New Windsor Zoning Code ("Zoning Code").

#### **Need for the Site**

4. Nextel is authorized by the Federal Communications Commission ("FCC") to build a wireless communications system that will provide coverage for the Town of New Windsor ("Town"). A copy of Nextel's current FCC license that authorizes Nextel to provide service to the Town and sets forth the frequency spectrum to be used at the proposed site, is attached hereto and made a part hereof as Exhibit A.

5. Nextel currently has a significant gap in reliable coverage in the Town. A gap in coverage is evidenced by the inability to adequately transmit or to receive calls, or by the interruption or disconnection of calls. The gap in coverage that exists in the Town prevents Nextel from providing reliable wireless coverage to current and future public and private users of its mobile radio communications system, including police, fire, ambulance and emergency response personnel.

6. I was able to confirm Nextel's gap in wireless service within the Town of New Windsor through computer modeling using Mobile Systems International PLANET ("PLANET") software.

7. PLANET software is a predictive modeling tool which identifies areas where sufficient coverage will exist, and where it will not. Attached hereto as Exhibit B is the PLANET map which indicates the significant gap in Nextel's coverage in the vicinity of the Site.

**The Proposed Site Will Remedy the Gap in Coverage  
and is Proposed at the Minimum Height Necessary**

8. Natural and man made features, such as large buildings, hills, trees, ridge lines and mountains, all effect the way a signal travels, and can distort or obstruct radio signals. Radio signals will either bounce off, bounce back or be absorbed by these obstructions. These constraints severely limit the suitability of sites for purposes of remedying a gap in signal coverage.

9. The Site takes into account the foregoing topographic constraints and will remedy the gap in Nextel's coverage that currently exists in the Town of New Windsor. Attached hereto as Exhibit C is a PLANET map, which indicates that the proposed facility, at an antenna centerline of one hundred forty-eight (148') feet, will remedy Nextel's significant gap in coverage in the vicinity of the Site.

10. In addition, attached hereto as Exhibit D is another PLANET map depicting the proposed Facility at a lower antenna centerline of ninety-eight (98') feet. This map indicates that the lower height would not remedy Nextel's significant gap in coverage within the Town, and thus the proposed antenna centerline height of one hundred forty-eight (148') feet is the minimum height necessary to provide adequate coverage in the vicinity of the Site.

#### Alternative Locations

11. Although the Site will remedy Nextel's significant gap in reliable coverage in the vicinity, per the requirements of the Zoning Code I reviewed two (2) additional alternative sites with existing tall structures or towers to determine whether such alternative sites would remedy Nextel's gap in coverage. As specified by the Saenz Affidavit, these are the only existing tall structures within a two (2) mile radius that maybe available for leasing by Nextel. Specifically:

A. Dynamic Plumbing Lattice Tower: This site consists of a sixty (60') foot high lattice tower attached to the building at Dynamic Plumbing, on Route 207. Attached hereto as Exhibit E is a PLANET map overlay depicting potential coverage from a sixty (60') foot height on the existing lattice tower. Due to its lower height and location west of the proposed Site, the Dynamic Plumbing Lattice Tower is not a feasible alternative, since it would not remedy Nextel's significant gap in coverage in the vicinity of the proposed Site. Specifically, as



demonstrated by Exhibit E, this alternative would not provide any coverage to the central portion of the Town, and would not cover County Route 54 / Drury Lane or the central and eastern section of Route 207 within the Town. Thus, this location is not a feasible alternative to the proposed Site.


B. Transmission Poles: This location consists of approximately forty (40') foot high electrical transmission poles on Toleman Road. Attached hereto as Exhibit F is a PLANET map overlay depicting potential coverage from the available forty (40') foot height on these poles. Due to their lower height, these alternatives would not remedy Nextel's significant gap in reliable coverage in the vicinity of the proposed Site, as demonstrated by Exhibit F. This location would result in a large coverage gap along County Route 54 / Drury Lane and on Route 207. Thus, this location is not a feasible alternative to the proposed Site.

### Conclusion

12. Based on the foregoing data and analysis, it is my professional opinion that: (i) there exists a significant gap in Nextel's reliable wireless coverage in the Town; (ii) the Site is an ideal location, because its elevation and location will enable Nextel to eliminate the gap in coverage and provide reliable wireless service in the central portion of the Town, while utilizing a commercial property in the permitted Office and Light Industry zoning district; and (iii) the two (2) available alternative locations are not feasible alternatives to the proposed Site.

Based on the foregoing, the requested approvals should be granted forthwith.

Respectfully submitted,

  
DOMINICK SCARAMUZZINO

Sworn to before me this  
19<sup>th</sup> day of June, 2001

  
Notary Public

**PATRICIA LARGE**  
Notary Public, State of New York  
No. 01LA6027185  
Qualified in Bronx County  
Commission Expires June 23, 2006

# RADIO STATION LICENSE

Licensee Name: NEXTEL LICENSE HOLDINGS 1 INC

DBA NEXTEL COMMUNICATIONS

Radio Service: YX TRUNKED SMRS

Call Sign: WPF237

File Number: 9807D111449

License Issue Date: 11/17/1998

License Expiration Date: 07/22/2001

Frequency Advisory No./Service Area:

Pagers\*\*\*\*\*

981117M 682 1 12

NEXTEL LICENSE HOLDINGS 1 INC DBA  
NEXTEL COMMUNICATIONS  
1505 FARM CREDIT DR  
MC LEAN VA 22102

REGULATORY STATUS: CMRS

## Station Technical Specifications

FCC I.O.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Eleva	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
G:	851.00000-FB2J	400		20K0F2D	100.000	1000				
	866.00000			20K0F3E						
				20K0W7W						
	806.00000-FX1J	9999		20K0F2D	35.000	35.000				
	821.00000			20K0F3E						
				20K0W7W						
	806.00000-MO	9999		20K0F2D	35.000	35.000				
	821.00000			20K0F3E						
				20K0W7W						
AREA OF OPERATION										
SITE G: US STATEWIDE										
CONTROL POINTS: 1505 FARM CREDIT DR MC LEAN VA										
CONTROL POINT PHONE: 703-394-3000										
SPECIAL COND: SEE ATTACHED #35, SP: AUTHORIZES USE OF ONLY THOSE DISCRETE FREQUENCIES ALREADY GRANTED TO THE LICENSEE AND LIMITS OPERATION TO EXISTING SERVICE AREAS WHERE THE LICENSEE HOLDS AUTHORIZATION FOR THE FREQUENCIES. SUCH AUTHORIZATION IS SUBJECT TO CHANGE OR TO CANCELLATION IN ITS ENTIRETY AT ANY TIME BY THE COMMISSION.										
STATION CLASS SUFFIX C = INTERCONNECT										
STATION CLASS SUFFIX J = TEMPORARY WITH INTERCONNECT										
STATION CLASS SUFFIX K = STAND-BY WITH INTERCONNECT										
STATION CLASS SUFFIX L = ITINERANT WITH INTERCONNECT										
The latitude/longitude are authorized in North American Datum 1927 (NAD27). Additionally, the antenna height to tip, ground elevation, AAT and area of operation units are authorized in metric.										
EMISSION DESIGNATOR(S) CONVERTED TO CONFORM TO DESIGNATOR(S)										
SET OUT IN PART 2 OF THE COMMISSION'S RULES.										

PAGE 1 OF 1



FEDERAL  
COMMUNICATIONS  
COMMISSION

This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTIONS: 1) 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within 1 year 2) IVDS authorizations automatically cancel if service is not made available in accordance with Section 95.833(a) of the Commission's Rules 3) There are no time limitations for placing GMRS stations in operation.

**EXISTING SITES:**

MAP#	SITE ID	ADDRESS	STRUCTURE	ANTENNA HEIGHT
1	0579	Dean Hill Road New Windsor, NY	160' Lattice Tower	128'
2	0568	Ridge Road Hamptonburgh, NY	206' Lattice Tower	178'
3	0577	Rt. 208 Walden, NY	180' Lattice Tower	144'
4	0574	Ridge Avenue Newburgh, NY	115' Water Tank	113'

**ZONED SITES:**

MAP#	SITE ID	ADDRESS	STRUCTURE	ANTENNA HEIGHT
5	2006	Fern Avenue Newburgh, NY	100' Lattice Tower	84'
6	2033	37 Clove Road Blooming Grove, NY	124' Water Tank	128'

**PROPOSED SITES:**

MAP#	SITE ID	ADDRESS	STRUCTURE	ANTENNA HEIGHT
7	2035	Rock Tavern Industrial Park Route 207 New Windsor, NY	Proposed 150' Monopole	148'

**ALTERNATE SITES:**

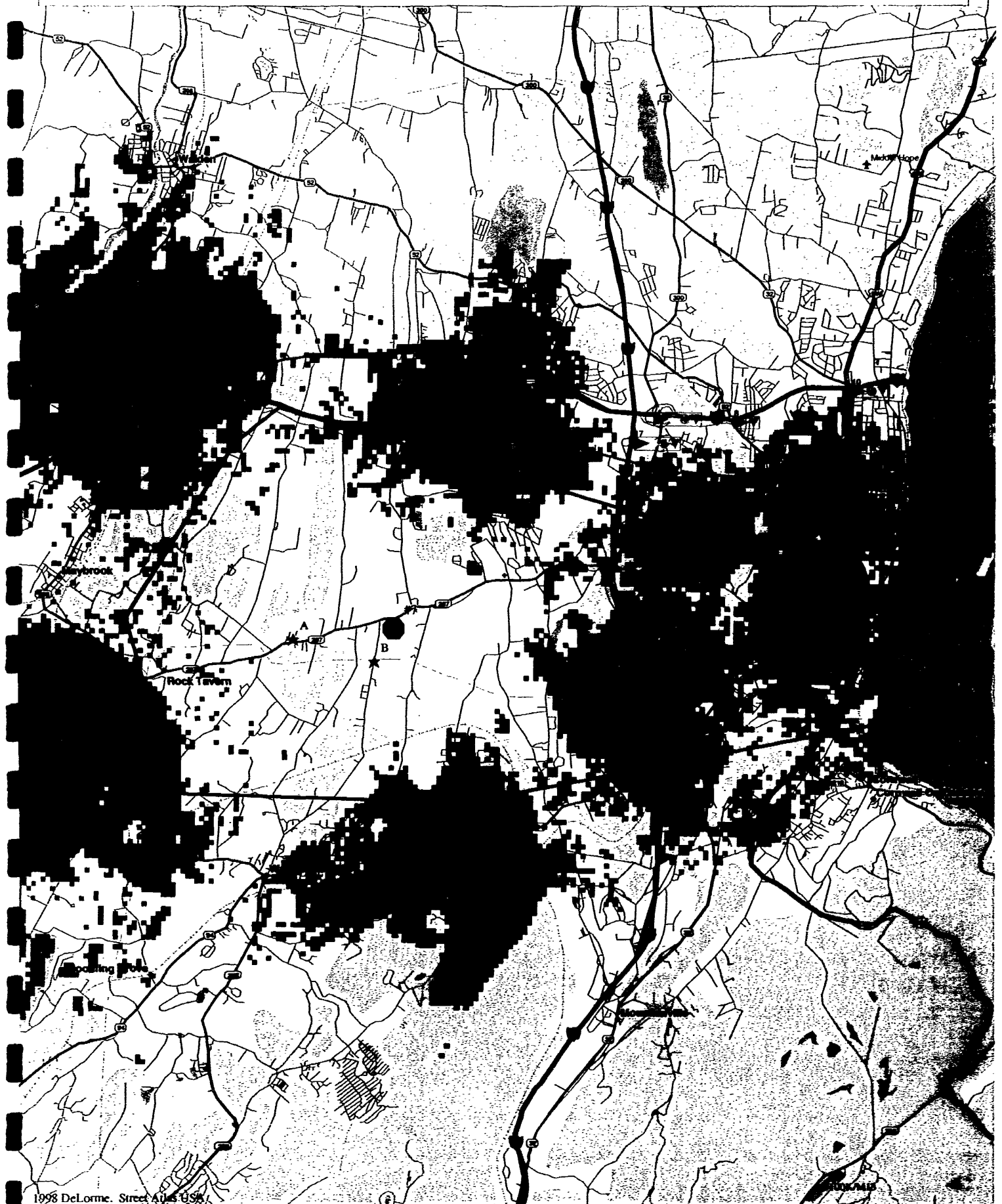
MAP#	SITE ID	ADDRESS	STRUCTURE	ANTENNA HEIGHT
A	n/a	Dynamic Plumbing Route 207 New Windsor, NY	60' Lattice Tower	60'
B	n/a	Toleman Road New Windsor, NY	40' Power Pole	40'

**SEARCH RINGS: (Black Rings)**

# Nextel Communications: Existing & Proposed Coverage

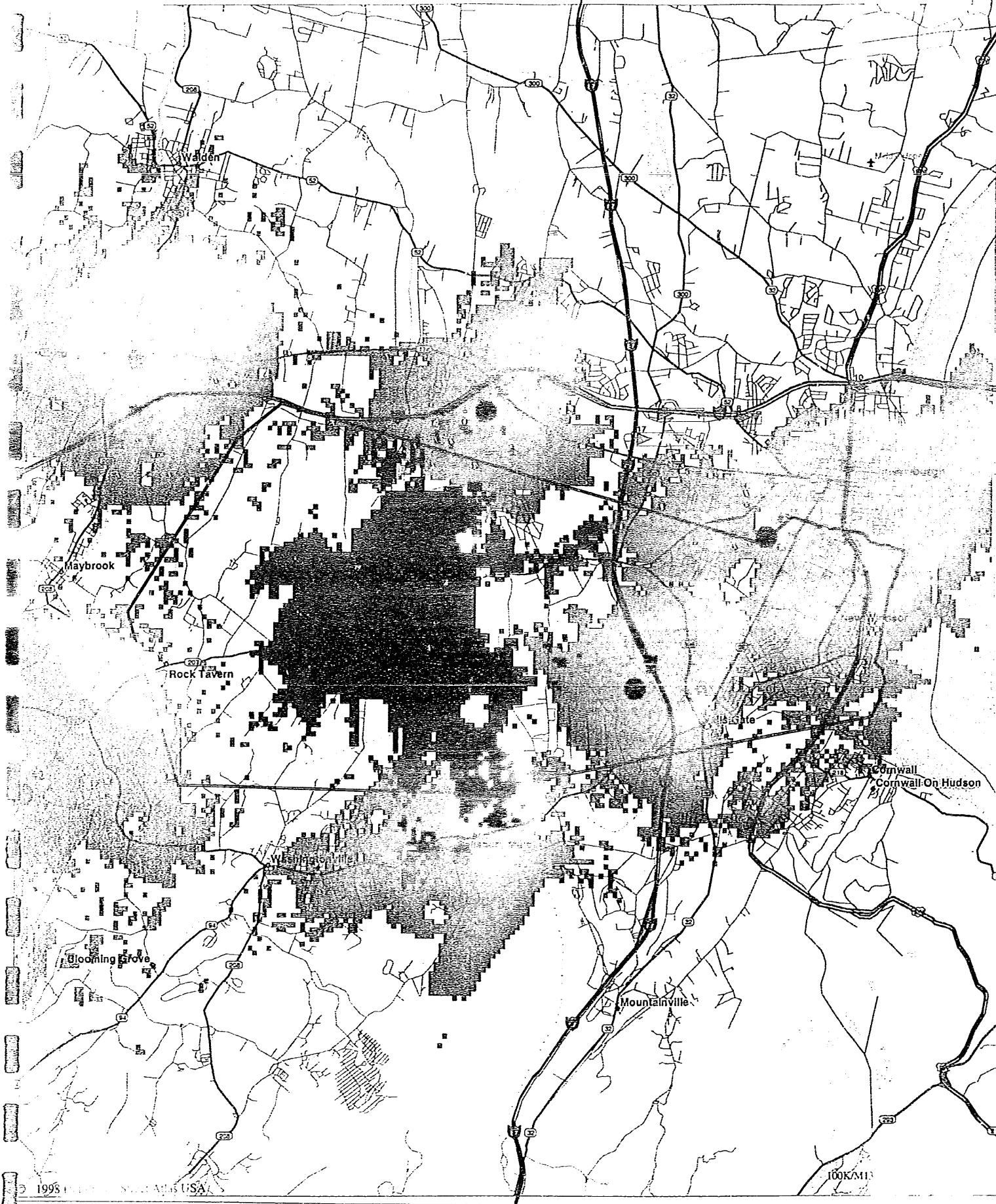


# Nextel Communications: Existing Coverage



# Nextel Communications:

# Nextel Communications: Existing & Proposed Coverage

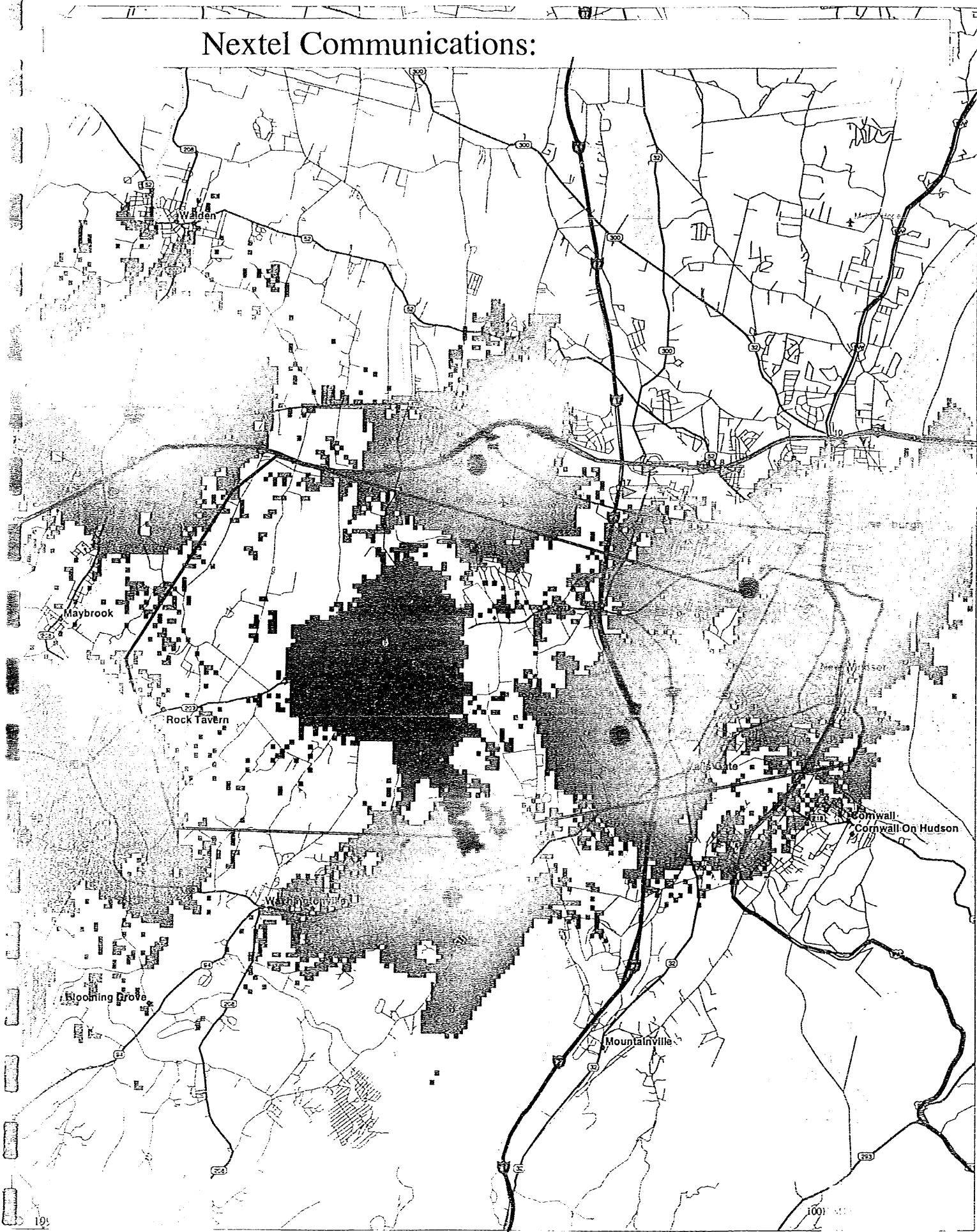




# Nextel Communications: Existing Coverage



# Nextel Communications:



**State Environmental Quality Review  
FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

Identify the Portions of EAF completed for this project:                      ☒ Part 1                      ☒ Part 2                      ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☒ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.\***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action  
**Nextel Wireless Telecommunications Facility**

Name of Lead Agency  
**Town of New Windsor Planning Board**

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

## PART 1--PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action <b>Nextel Wireless Telecommunications Facility</b>		
Location of Action (include Street Address, Municipality and County) <b>Route 207, Town of New Windsor, Orange County, NY</b>		
Name of Applicant/Sponsor <b>Nextel of New York, Inc. d/b/a Nextel Communications</b>	Business Telephone <b>(914) 421-2600</b>	
Address <b>One North Broadway, 2<sup>nd</sup> floor</b>		
City/PO <b>White Plains</b>	State <b>NY</b>	Zip Code <b>10601</b>
Name of Owner(if different) <b>Rock Tavern Village LP</b>	Business Telephone <b>(845) 786-6000</b>	
Address <b>614 Little Britain Road</b>		
City/PO <b>New Windsor</b>	State <b>NY</b>	Zip Code <b>12553</b>
Description of Action <b>Installation of a prefabricated 12' x 20' unmanned equipment shelter at grade and twelve (12) panel antennas mounted on a proposed 150' monopole.</b>		

Please Complete Each Question--Indicate N.A. if not applicable

### A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural(non-farm)  
☐ Forest ☐ Agriculture ☒ Other **Vacant Land**

2. Total sf of project area: **16000** sf

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u><b>16000</b></u> s.f.	<u>          </u> s.f.
Forested	<u>          </u> s.f.	<u>          </u> s.f.
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>          </u> s.f.	<u>          </u> s.f.
Wetland(Freshwater or tidal as per Articles 24,25 of ECL)	<u>          </u> s.f.	<u>          </u> s.f.
Water Surface Area	<u>          </u> s.f.	<u>          </u> s.f.
Unvegetated (Rock, earth or fill)	<u>          </u> s.f.	<u>          </u> s.f.
Roads, buildings and other paved surfaces	<u>          </u> s.f.	<u><b>282</b></u> s.f.
Other (Indicate type) <u><b>gravel</b></u>	<u>          </u> s.f.	<u><b>15718</b></u> s.f.

3. What is predominant soil type(s) on project site? **MdB - Mardin gravelly silt loam**

4. a. Soil drainage: ☒ Well drained **100** % of site ☐ Moderately well drained            % of site  
☐ Poorly drained            % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? **N/A** acres (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☒ Yes ☐ No

a. What is depth to bedrock? **> 60** (In inches)

5. Approximate percentage of proposed project site with slopes: ☒ 0-10% **100** % ☐ 10-15%            %  
☐ 15% or greater            %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 1.5 - 2.0 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
☐ Yes ☒ No According to Based on site visit. Awaiting response from DEC to letter dated February 28, 2001

Identify each species \_\_\_\_\_

12. Are there any unique or unusual land forms on the project site?(i.e., cliffs, dunes, other geological formations)  
☐ Yes ☒ No Describe \_\_\_\_\_
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
☐ Yes ☒ No If yes, explain \_\_\_\_\_
14. Does the present site include scenic views known to be important to the community?  
☐ Yes ☒ No
15. Streams within or contiguous to project area. No  
a. Name of Stream and name of River to which it is tributary \_\_\_\_\_
16. Lakes, ponds, wetland areas within or contiguous to project area: No  
a. Name \_\_\_\_\_ b. Size (In acres) \_\_\_\_\_
17. Is the site served by existing public utilities? ☒ Yes ☐ No  
a) If Yes, does sufficient capacity exist to allow connection? ☐ Yes ☒ No  
b) If Yes, will improvements be necessary to allow connection? ☒ Yes ☐ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

## B. PROJECT DISCRPTION

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 16000 sf
- b. Project acreage to be developed: 16000 sf initially: 16000 sf ultimately.
- c. Project acreage to remain undeveloped 0 sf.
- d. Length of project, in miles: N/A (if appropriate).
- e. If the project is an expansion, indicate percent of expansion proposed N/A %.
- f. Number of off-street parking spaces existing 0 ; proposed 1
- g. Maximum vehicular trips generated per month 1 (upon completion of project).
- h. If residential, Number and type of housing units: N/A
- |            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | _____      | _____      | _____           | _____       |
| Ultimately | _____      | _____      | _____           | _____       |
- i. Dimensions (in feet) of largest proposed structure 150' height; \_\_\_\_\_ width; \_\_\_\_\_ length. \*Monopole
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 0 ft.
2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 cubic yards.

3. Will disturbed areas be reclaimed? ☐ Yes ☒ No ☐ N/A

a. If yes, for what intended purpose is the site being reclaimed? \_\_\_\_\_

b. Will topsoil be stockpiled for reclamation? ☐ Yes ☒ No

c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☒ No

4. How many SF of vegetation (trees, shrubs, ground covers) will be removed from site? 16000 sf.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? ☐ Yes ☒ No

6. If single phase project: Anticipated period of construction 1 months, (including demolition).

7. If multi-phased: N/A

a. Total number of phases anticipated \_\_\_\_\_ (number).

b. Anticipated date of commencement phase 1 \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition).

c. Approximate completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year.

d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☒ No

9. Number of jobs generated: during construction? 2 ; after project is complete? 0 .

10. Number of jobs eliminated by this project? 0 .

11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain \_\_\_\_\_

12. Is surface liquid waste disposal involved? ☐ Yes ☒ No

a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_

b. Name of water body into which effluent will be discharged \_\_\_\_\_

13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type \_\_\_\_\_

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No

Explain \_\_\_\_\_

15. Is project, or any portion of project, located in a 100-year flood plain? ☐ Yes ☒ No

16. Will the project generate solid waste? ☐ Yes ☒ No

a. If yes, what is the amount per month? \_\_\_\_\_ tons.

b. If yes, will an existing solid waste facility be used? ☐ Yes ☐ No

c. If yes, give name \_\_\_\_\_; location \_\_\_\_\_

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☐ No

e. If Yes, explain \_\_\_\_\_

17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No

a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.

b. If yes, what is the anticipated site life? \_\_\_\_\_ years.

18. Will project use herbicides or pesticides? ☐ Yes ☒ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No

21. Will project result in an increase in energy use? ☒ Yes ☐ No

If yes, indicate type(s) Electric power

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day 0 gallons/day.

24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No

If yes, explain \_\_\_\_\_

**25. Approvals Required:**

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan & Special Permit	
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
State Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. ZONING and PLANNING INFORMATION**

1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No

If Yes, indicate decision required:

☐ zoning amendment    ☐ zoning variance    ☒ special permit    ☐ subdivision    ☒ site plan  
☐ new/revision of master plan    ☐ resource management plan    ☐ other

2. What is the zoning classification(s) of the site? OLI: Office & Light Industry

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A

4. What is the proposed zoning of the site? N/A

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No

7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?

AP (Airport Use), R-1 (Rural Residential), OLI: Office & Light Industry

8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? ☐ Yes ☒ No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed?

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☐ Yes ☒ No

a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ No

a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No

**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are, or may be, any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Tectonic Engineering Consultants, P.C.

Date June 5, 2001

Signature



Title Project Engineer

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

## Part 2 – PROJECT IMPACTS AND THEIR MAGNITUDE (PROPOSED PART II)

### Responsibility of Lead Agency

#### General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

#### Instructions (Read Carefully)

- Answer each of the 20 questions in Part 2. Answer **Yes** if there will be any impact.
- Maybe** answers should be considered as **Yes** answers.
- If answering **Yes** to a question, then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in Part 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- If reviewer has doubt about size of the impact, then consider the impact as potentially large and proceed to Part 3.
- If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

#### IMPACT ON LAND

- Will the proposed action result in a physical change to the project Site?  
[ ] NO [X] YES

##### Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.

Other impacts: Installation of a prefabricated  
240 SF unmanned equipment and a 150-ft  
monopole.

- Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)  
[X] NO [ ] YES
- Specific land forms:

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[X]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No



## IMPACT ON WATER

3. Will proposed action affect any water body designated as protected?  
(Under Articles 15, 24, 25 of the Environmental Conservation Law,  
ECL) ☒ NO ☐ YES

**Examples that would apply to column 2**

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts

4. Will proposed action affect any non-protected existing or new body of water? ☒ NO ☐ YES

**Examples that would apply to column 2**

- A 10% increase or decrease in the surface area of any body of water or more than a 10-acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts:

5. Will proposed action affect surface or groundwater quality or quantity? ☒ NO ☐ YES

**Examples that would apply to column 2**

- Proposed action will require a discharge permit.
- Proposed action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed action would use water in excess of 20,000 gallons per day.
- Proposed action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed action will allow residential uses in areas without water and/or sewer services.
- Proposed action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts:

6. Will proposed action alter drainage flow or patterns, or surface water runoff? ☒ NO ☐ YES

### Examples that would apply to column 2

[illegible]

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<ul style="list-style-type: none"> <li>Proposed action may cause substantial erosion.</li> <li>Proposed action is incompatible with existing drainage patterns.</li> <li>Proposed action will allow development in a designated floodway.</li> <li>Other impacts:</li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON AIR</b>			
7. Will proposed action affect air quality? <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES </div>			
<b>Examples that would apply to column 2</b>			
Proposed action will induce 1,000 or more vehicle trips in any given hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will result in the incineration of more than 1 ton of refuse per hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will allow an increase in the amount of land committed to industrial use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action will allow an increase in the density of industrial development within existing industrial areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON PLANTS AND ANIMALS</b>			
8. Will proposed action affect any threatened or endangered species? <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES </div>			
<b>Examples that would apply to column 2</b>			
Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Will proposed action substantially affect non-threatened or non-endangered species? <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES </div>			
<b>Examples that would apply to column 2</b>			
Proposed action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proposed action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>IMPACT ON AGRICULTURAL LAND RESOURCES</b>			
10. Will the proposed action affect agricultural land resources? <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES </div>			
<b>Examples that would apply to column 2</b>			
The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No



- [illegible]

- Proposed action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a major commercial or industrial use.
- Other impacts:

## NOISE AND ODOR IMPACTS

17. Will there be objectionable odors, noise, or vibration as a result of the proposed action? ☒ NO ☐ YES

### Examples that would apply to column 2

- **Blasting within 1,500 feet of a hospital, school or other sensitive facility.**
- **Odors will occur routinely (more than one hour per day).**
- **Proposed action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.**
- **Proposed action will remove natural barriers that would act as a noise screen.**
- **Other impacts:**

## IMPACT ON PUBLIC HEALTH

18. Will proposed action affect public health and safety?  
☒ NO      ☐ YES

### Examples that would apply to column 2

- Proposed action may cause a risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed action may result in the burial of "hazardous wastes" in any form (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts:

### IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will proposed action affect the character of the existing community?  
☒ NO      ☐ YES

### Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed action will replace or eliminate existing facilities, structures, or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g., schools, police and fire, etc.)
- Proposed action will set an important precedent for future projects.
- Proposed action will create or eliminate employment.
- Other impacts:

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?  
☒ NO      ☐ YES

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
[ ] [ ]	[ ] [ ]	[ ] Yes [ ] No [ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ] [ ]	[ ] [ ]	[ ] Yes [ ] No [ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ] [ ]	[ ] [ ]	[ ] Yes [ ] No [ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ] [ ]	[ ] [ ]	[ ] Yes [ ] No [ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ] [ ] [ ]	[ ] [ ] [ ]	[ ] Yes [ ] No [ ] Yes [ ] No [ ] Yes [ ] No
[ ]	[ ]	[ ] Yes [ ] No
[ ] [ ] [ ] [ ]	[ ] [ ] [ ] [ ]	[ ] Yes [ ] No [ ] Yes [ ] No [ ] Yes [ ] No [ ] Yes [ ] No

If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to Part 3

### **Part 3 – EVALUATION OF THE IMPORTANCE OF IMPACTS**

**Responsibility of Lead Agency**

**Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.**

#### **Instructions**

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.  
To answer the question of importance, consider:
  - The probability of the impact occurring
  - The duration of the impact
  - Its irreversibility, including permanently lost resources of value
  - Whether the impact can or will be controlled
  - The regional consequence of the impact
  - Its potential divergence from local needs and goals
  - Whether known objections to the project relate to this impact

(Continue on attachments)

## Appendix B

## State Environmental Quality Review

## Visual EAF Addendum

This form may be used to provide additional information relating to Question 11 of Part 2 of the Full EAF.

(To be completed by Lead Agency)

## Visibility

Distance Between  
Project and Resource (in Miles)

0-¼    ¼-½    ½-3    3-5    5+

## 1. Would the project be visible from:

- A parcel of land which is dedicated to and available to the public for the use, enjoyment and appreciation of natural or man-made scenic qualities?

Storm King Art Center (Not visible)

☐    ☐    ☐    ☐    ☐

- An overlook or parcel of land dedicated to public observation, enjoyment and appreciation of natural or man-made scenic qualities? No

☐    ☐    ☐    ☐    ☐

- A site or structure listed on the National or State Registers of Historic Places?

New Windsor Cantonment / Edmonston House / Knox Headquarters (Not visible)

☐    ☐    ☐    ☐    ☐

- State Parks? Storm King State Park (Not visible)

☐    ☐    ☐    ☐    ☐

- The State Forest Preserve? No

☐    ☐    ☐    ☐    ☐

- National Wildlife Refuges and state game refuges? No

☐    ☐    ☐    ☐    ☐

- National Natural Landmarks and other outstanding natural features? No

☐    ☐    ☐    ☐    ☐

- National Park Service lands? No

☐    ☐    ☐    ☐    ☐

- Rivers designated as National or State Wild, Scenic or recreational? No

☐    ☐    ☐    ☐    ☐

- Any transportation corridor of high exposure, such as part of the interstate system, or Amtrak?

Conrail / Interstate 84 / Interstate 87 / Stewart International Airport

☐    ☐    ☒\*    ☐    ☐

- A governmentally established or designated interstate or inter-county foot trail, or one formally proposed for establishment or designation? No

☐    ☐    ☐    ☐    ☐

- A site, area, lake, reservoir or highway designated as scenic? No

☐    ☐    ☐    ☐    ☐

- Municipal park, or designated open space?

Town of New Windsor Rec. Facility

☐    ☐    ☒\*    ☐    ☐

- County road? Route 54

☐    ☒    ☐    ☐    ☐

- State? Route 207

☒    ☐    ☐    ☐    ☐

- Local Road? Toleman Road

☒    ☐    ☐    ☐    ☐

2. Is the visibility of the project seasonal? (i.e., screened by summer foliage, but visible during other seasons)

☒ Yes    ☐ No

3. Are any of the resources checked in question 1 used by the public during the time of year during which the project will be visible?

☒ Yes    ☐ No

\*Due to the mature tree growth, visibility will be limited.

# DESCRIPTION OF EXISTING VISUAL ENVIRONMENT

4. From each item checked in question 1, check those which generally describe the surrounding environment.

	Within	
	*1/4 mile	*1 mile
Essentially undeveloped	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Forested	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Suburban residential	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Urban	<input type="checkbox"/>	<input type="checkbox"/>
River, Lake, Pond	<input type="checkbox"/>	<input type="checkbox"/>
Silver Stream Reservoir / Beaverdam Lake / Crest View Lake (Not Visible)		
Cliffs, Overlooks	<input type="checkbox"/>	<input type="checkbox"/>
Designated Open Space	<input type="checkbox"/>	<input type="checkbox"/>
Flat	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hilly	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mountainous	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>

NOTE: add attachments as needed

5. Are there visually similar projects within:

- \*1/2 mile ☒ Yes ☐ No (Exist WGNV tower at 535 Toleman Rd., New Windsor, NY)
- \*1 mile ☐ Yes ☒ No
- \*2 mile ☐ Yes ☒ No
- \*3 mile ☒ Yes ☐ No (Exist Tower at Dean Hill Rd., New Windsor, NY & Snake Hill Rd., Newburgh, NY)

\*Distance from project site are provided for assistance. Substitute other distances as appropriate.

## EXPOSURE

6. The annual number of viewers likely to observe the proposed project is 2500±

NOTE: When user data is unavailable or unknown, use best estimate.

7. The situation or activity in which the viewers are engaged while viewing the proposed action is

Activity	FREQUENCY			
	Daily	Weekly	Weekends	Holidays/ Seasonally
Travel to and from work	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Involved in recreational activities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Routine travel by residents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At a residence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At worksite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# **VISUAL IMPACT ASSESSMENT**

## **TELECOMMUNICATIONS TOWER**

**Route 207**

**New Windsor, New York**

**Prepared For  
Nextel Communications**

**Prepared By  
Creative Visuals, Inc. & Virtually Real, Inc.  
May 2001**

**Creative Visuals, Inc.**  
**Cold Brook Road**  
**Post Office Box 435**  
**Bearsville, NY 12409**  
**Phone (845) 679-9055, Fax (845) 679-1175**

May 21, 2001

Honorable Members of the Town of New Windsor Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

RE: Proposed New Telecommunications Tower

Dear Honorable Members of the Board:

Creative Visuals, Inc., in conjunction with Virtually Real Inc., has prepared an accurate visual study containing photo-realistic renderings of the proposed telecommunications tower ("Facility"), consisting of a 150' tall monopole with antennas, proposed by Nextel Communications at Rock Tavern Industrial Park, Route 207, New Windsor, New York, utilizing the process described below.

A two-man team made an on-site visit to obtain familiarity with the terrain and its surrounding residential neighborhoods. Fourteen off-site points ("View Points") were selected within close proximity of the site from which five were chosen for photo representation of the completed Facility:

<u>Description of View Point</u>	<u>Approximate Distance to Site</u>
View Point 1 – from near the Presbyterian Church, Little Britain, NY, overlooking the cemetery, crane not visible;	2,966'
View Point 2 – from the intersection of Station Road and Abby Lane;	2,124'
View Point 3 – from near the mailbox to 521 Station Road;	2,480'
View Point 4 – from the intersection of Station Road and Beech Acres Drive, crane not visible;	2,818'
View Point 5 – from the intersection of Little Brook Court and Toleman Road, crane not visible;	4,306'
View Point 6 – from near 461 Toleman Road, crane not visible;	2,406'
View Point 7 – from near 538 Toleman Road;	1,219'
View Point 8 – from the Vance Lane cul-de-sac, crane not visible;	1,908'
View Point 9 – from across from 971 Route 207;	1,504'
View Point 10 – from the Sheafe Circle cul-de-sac, crane not visible;	3,192'
View Point 11 – from the intersection of Camelot Circle and Route 207, at the entrance to Canterbury Estates, crane not visible;	4,002'

View Point 12 – from near 1449 Route 207;	1,305'
View Point 13 – from the intersection of Drury Lane and Route 207, crane not visible;	1,950'
View Point 14 – from the intersection of Drury Lane and James A. Kelly Drive, at the entrance to Crestview Lake, crane not visible.	7,500'

Larry Heimel took analog photographs of the site from each of the View Points under study, shooting Kodak Royal Gold 200 ASA print film with a Nikon F-5 and N-70 camera, each with a fixed 50mm lens. Two cameras were used to provide an "insurance" shot. The photos were taken on May 15, 2001 between 9:20 and 11:47 A.M.; conditions were sunny skies. These photos presented a reference point for calculation of the structure's placement, via four red flags attached to a crane (there was also a 3' diameter red balloon tethered to 10' of string from the top of the crane, which was used to facilitate identifying the crane from the more distant view points). The flags were set at 150' AGL (Above Ground Level) above the proposed Facility site.

The negatives were scanned at 2700 dpi (dots per inch) and then digitized as 26MB high-resolution files. The site and each View Point were then located on a digitized DOT contour map. AutoCAD was used to create a model of the actual proposed structure.

A separate, 3-D software, 3D Studio Max, was then used to photorealistically render the Facility as seen from each of the photo simulation View Points, maintaining the perspective of a 50mm lens. This was achieved by exporting the "model" of the monopole (along with the location of the View Points, crane reference points and monopole) into 3D Studio Max from AutoCAD as a DXF file. The 3D software utilized this imported file to reference the Facility, red flags attached to the crane and View Point locations, thus maintaining their relative X, Y and Z distances. The Facility was also imported with its actual dimensions as a vectorized 3D model. Each View Point including the site was elevated to its proper AMSL (Above Mean Sea Level). 3D Studio Max cameras were set at each View Point's X, Y and Z location and photographed the model monopole with a 50mm lens (correlating to our analog 50mm photos). The X, Y and Z coordinates allowed the 3D camera to render the structure to its correct scale, rotation and angle from each View Point.

The monopole was assigned "photorealistic" materials in the software's materials editor; a photograph of an existing similar Facility was used to facilitate this process. 3-D Studio Max simulated sunlight on the monopole, taking into account the site latitude, date and time of day of the View Point photographs. Finally, the crane was digitally removed from the photograph and the photorealistically-rendered monopole was inserted and merged with a photograph of a similar existing monopole into the digitized site photos we had taken and converted from 26MB files into digitized photographs.

## Conclusion

Based upon our over eleven years' experience in visual analysis, as well as analyzing over 300 public utility structure sites throughout the region, we are confident that the enclosed visual study accurately reflects the appearance of the Facility, consisting of a 150' tall monopole located at the captioned site.

Sincerely,



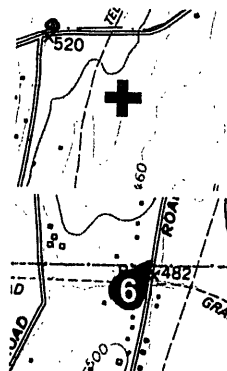
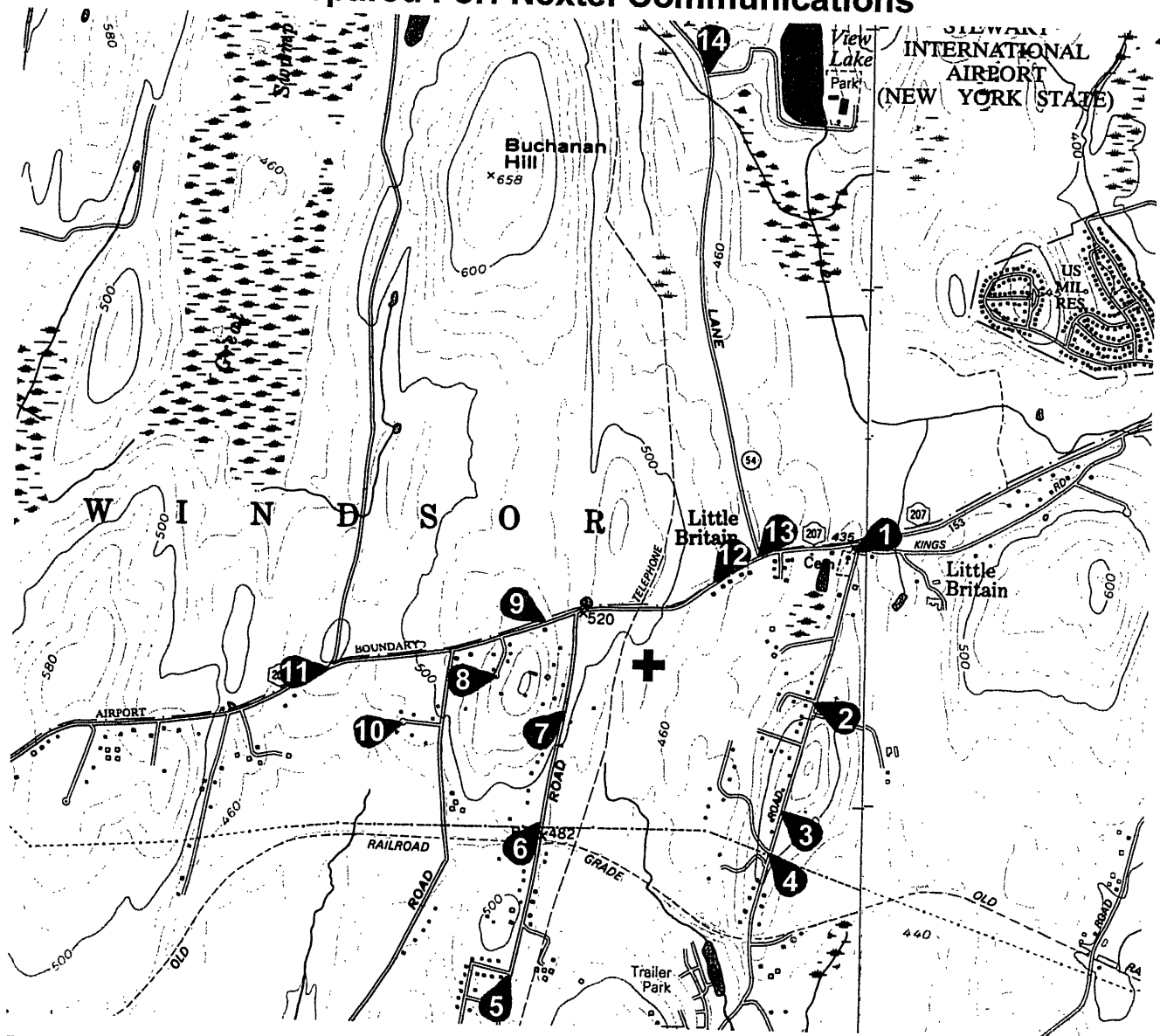
Larry Heimel, President  
Creative Visuals, Inc.

# TELECOMMUNICATIONS TOWER VISUAL IMPACT ASSESSMENT

Route 207

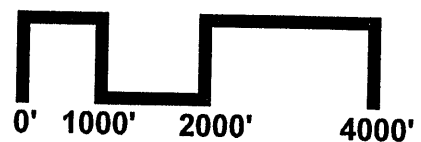
New Windsor, NY

Prepared For: Nextel Communications



SITE LOCATION

VIEW POINT  
LOCATION



SCALE: 1" = 2000'

View Point 1

From near the Presbyterian Church, Little Britain, NY, overlooking the cemetery, crane not visible



Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 2  
From the intersection of Station Road and Abby Lane



Computer simulated photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 3  
From near the mailbox to 521 Station Road



Computer simulated photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 4  
From the intersection of Station Road and Beech Acres Drive, crane not visible



Photo by Creative Visuals, Inc. & Virtually Real, Inc.



View Point 5

From the intersection of Little Brook Court and Toleman Road, crane not visible

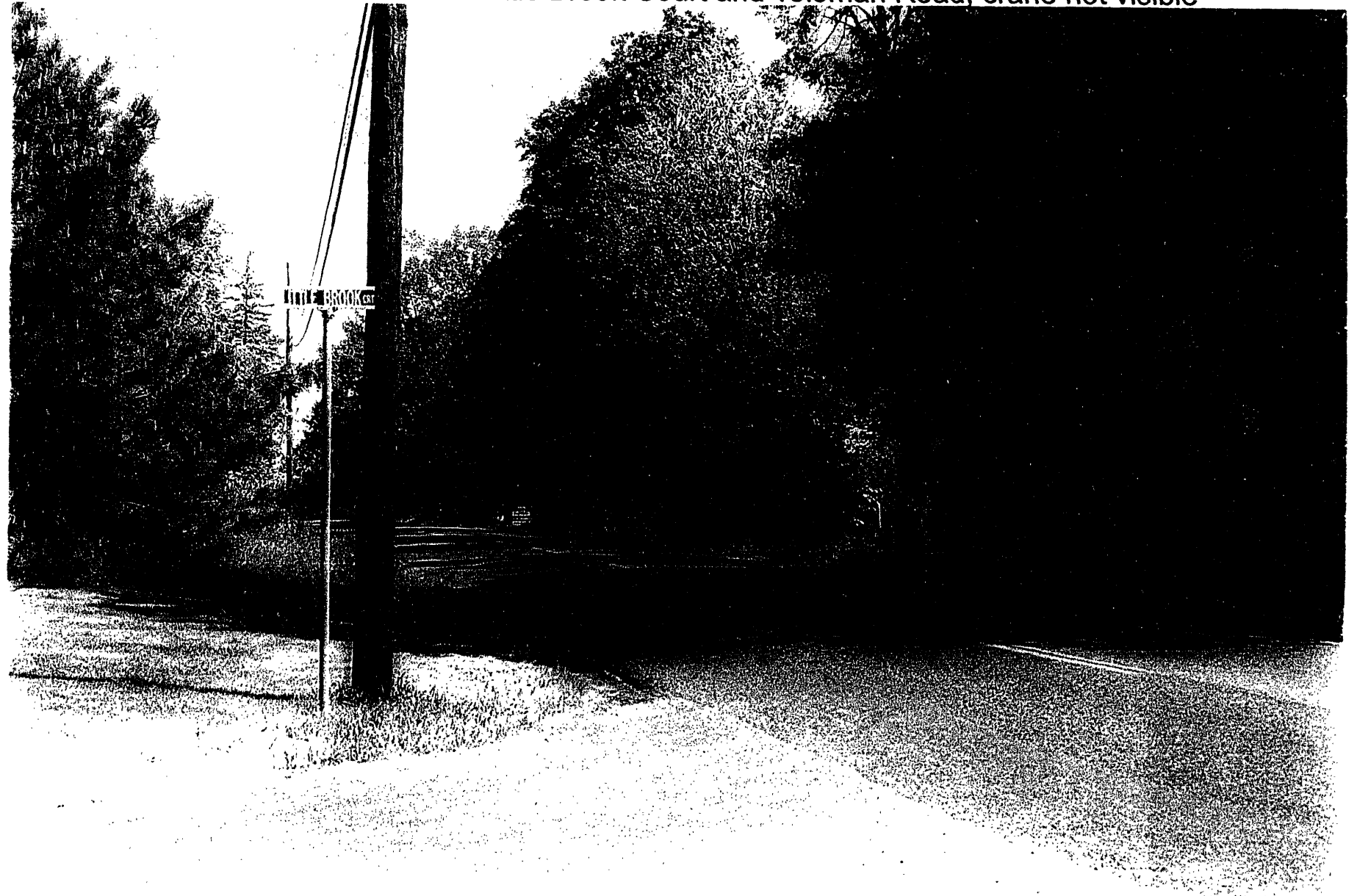


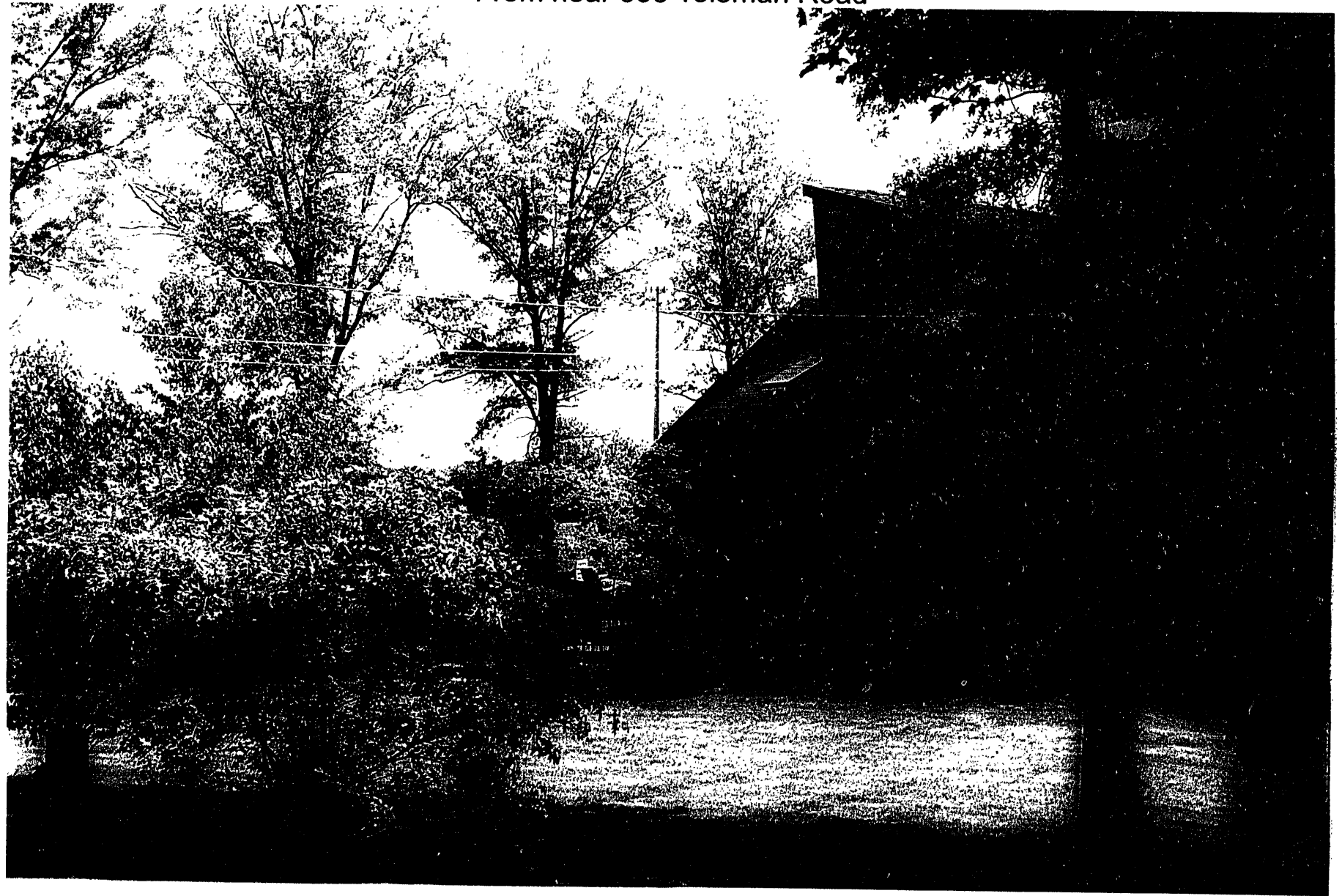
Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 6  
From near 461 Toleman Road, crane not visible



Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 7  
From near 538 Toleman Road



Computer simulated photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 8  
From the Vance Lane cul-de-sac, crane not visible

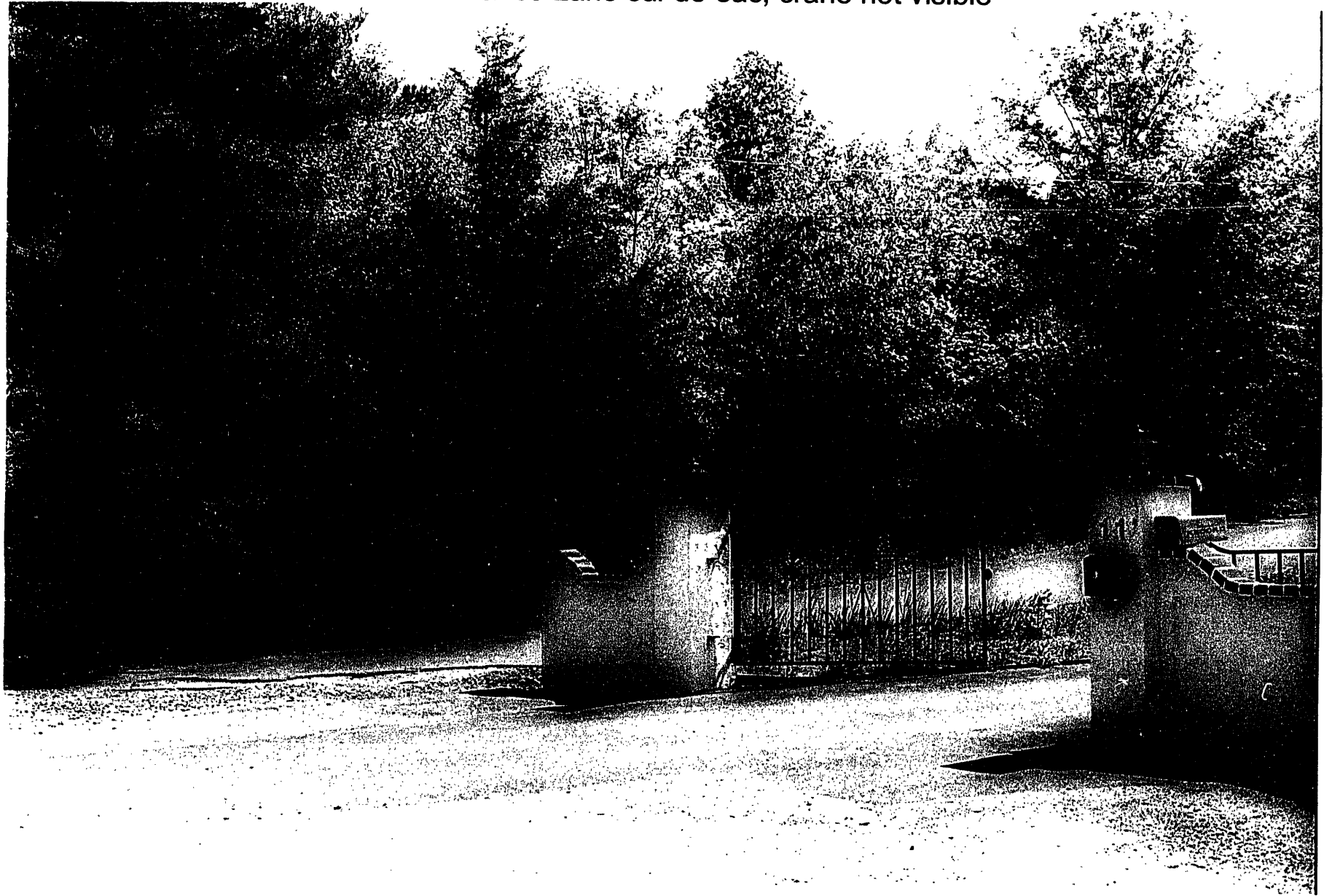
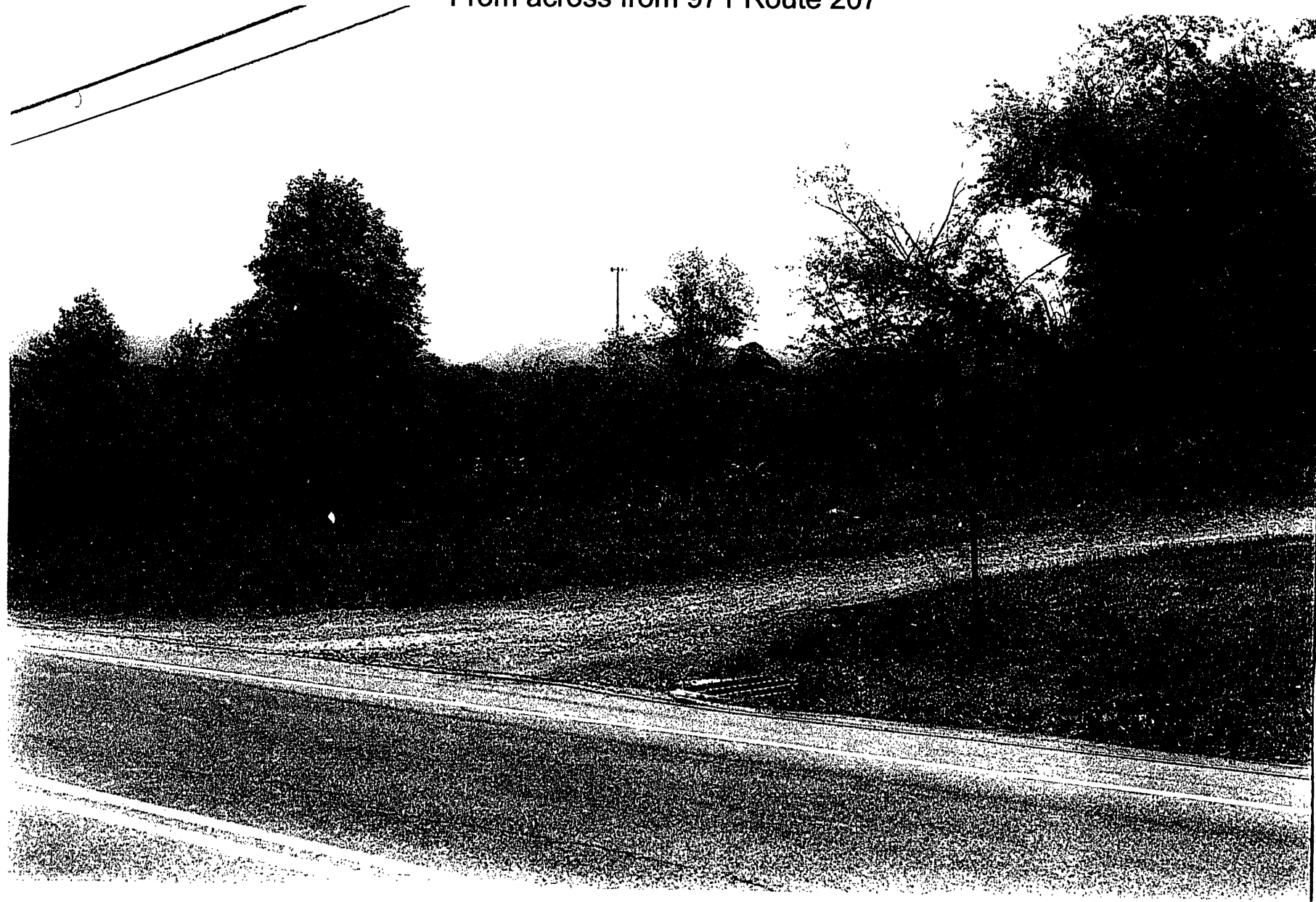


Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 9  
From across from 971 Route 207



Computer simulated photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 10  
From the Sheafe Circle cul-de-sac, crane not visible

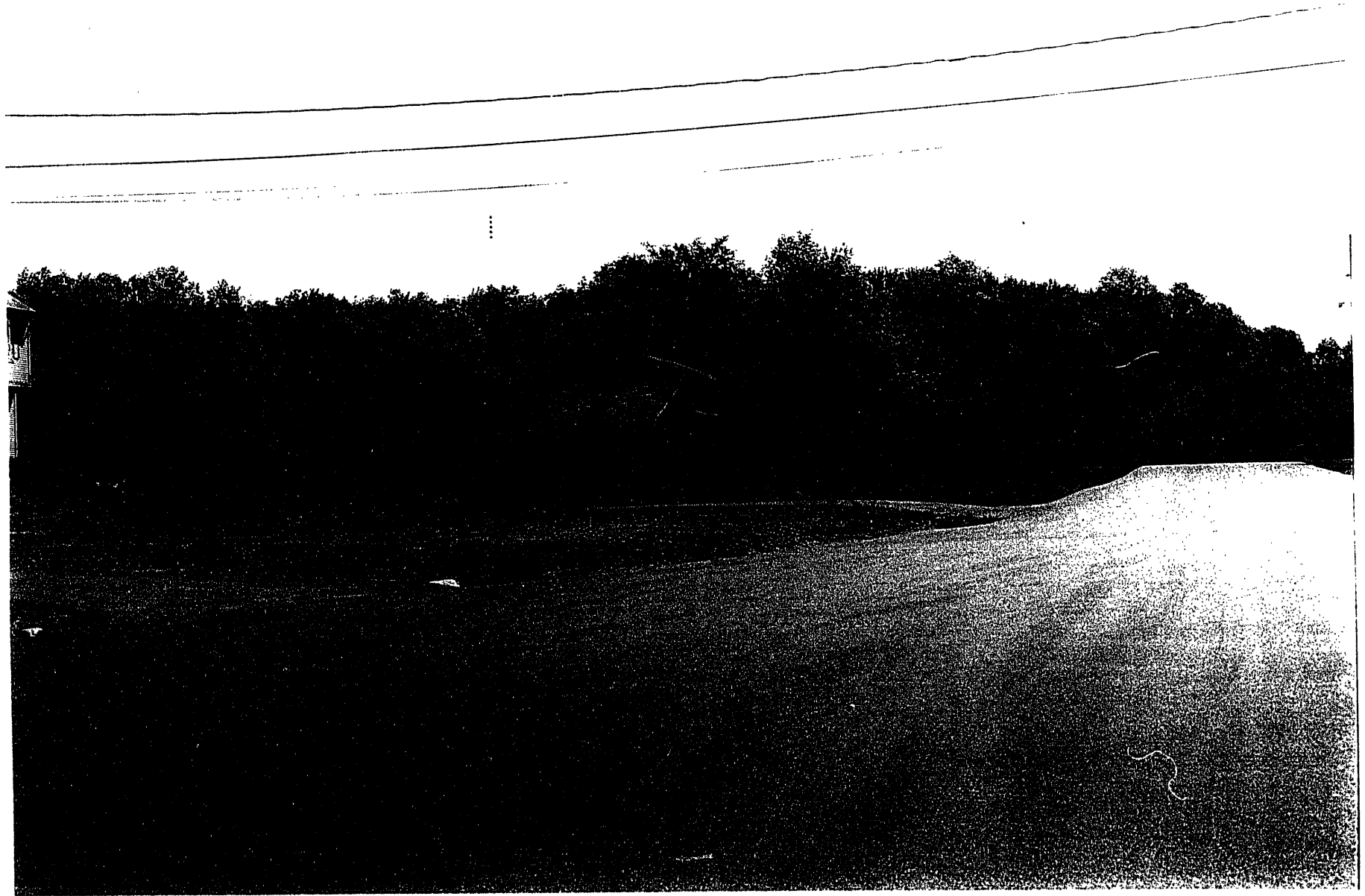


Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 11

From the intersection of Camelot Circle and Route 207, at the entrance to Canterbury Estates  
Crane not visible

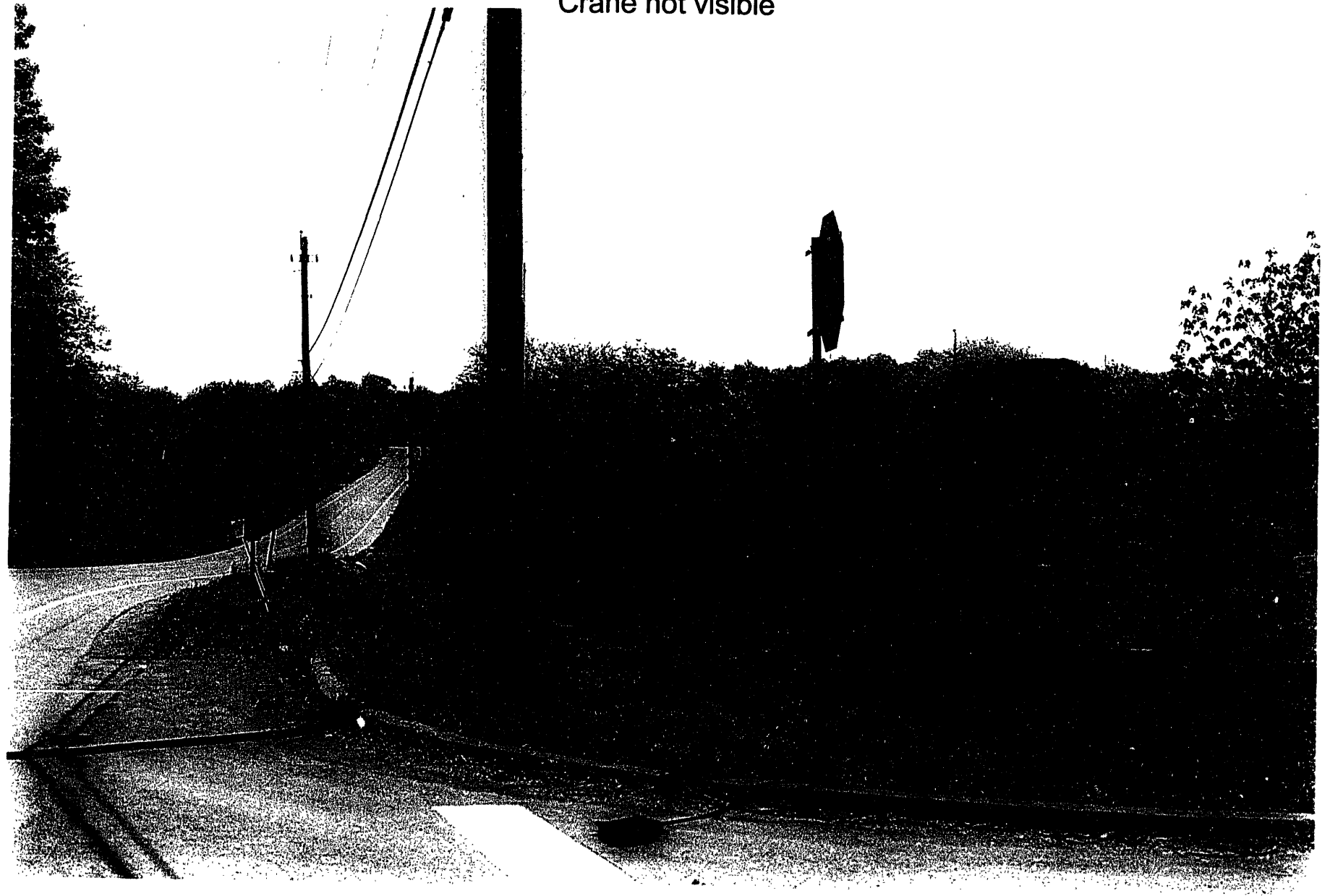
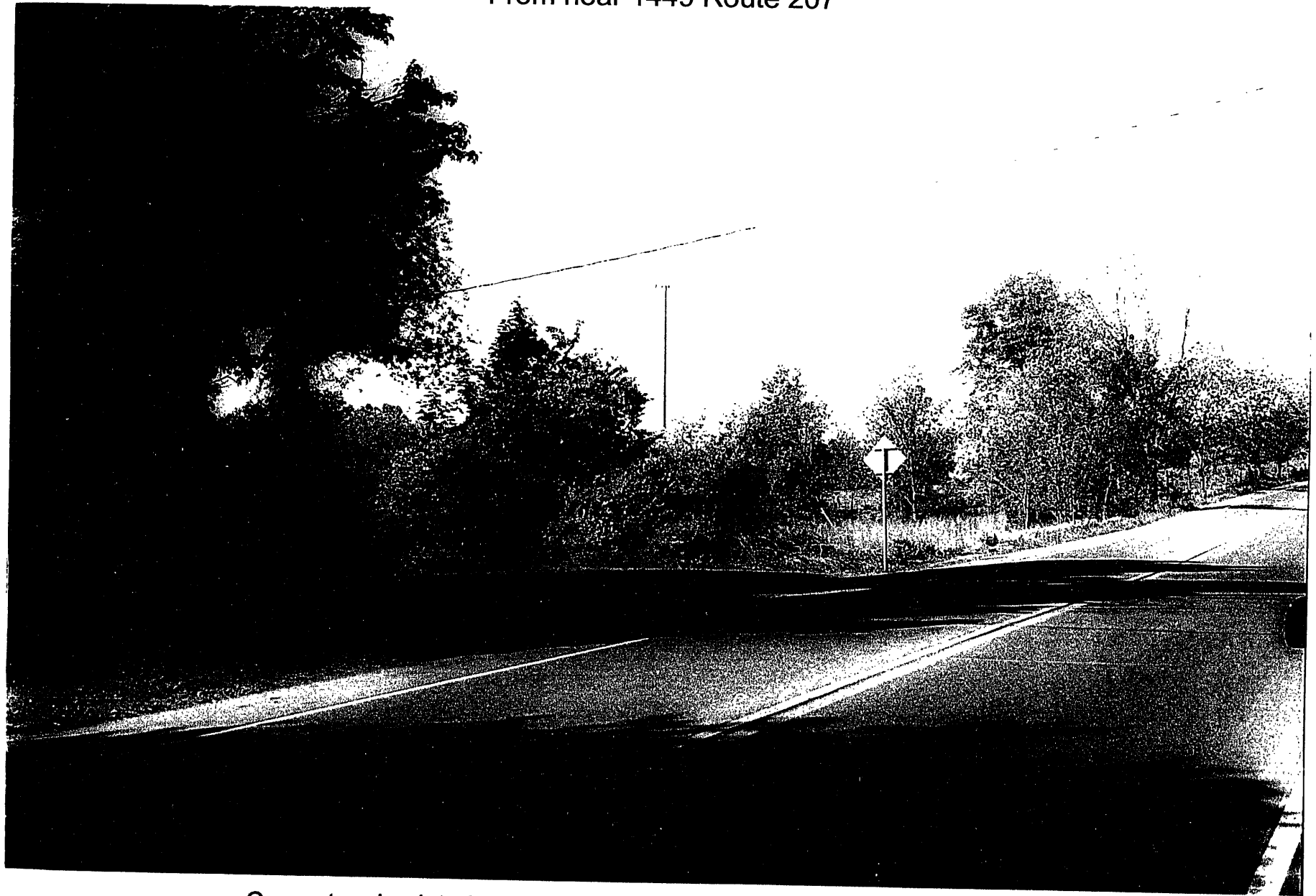


Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 12  
From near 1449 Route 207



Computer simulated photo by Creative Visuals, Inc. & Virtually Real, Inc.



View Point 13

From the intersection of Drury Lane and Route 207, crane not visible

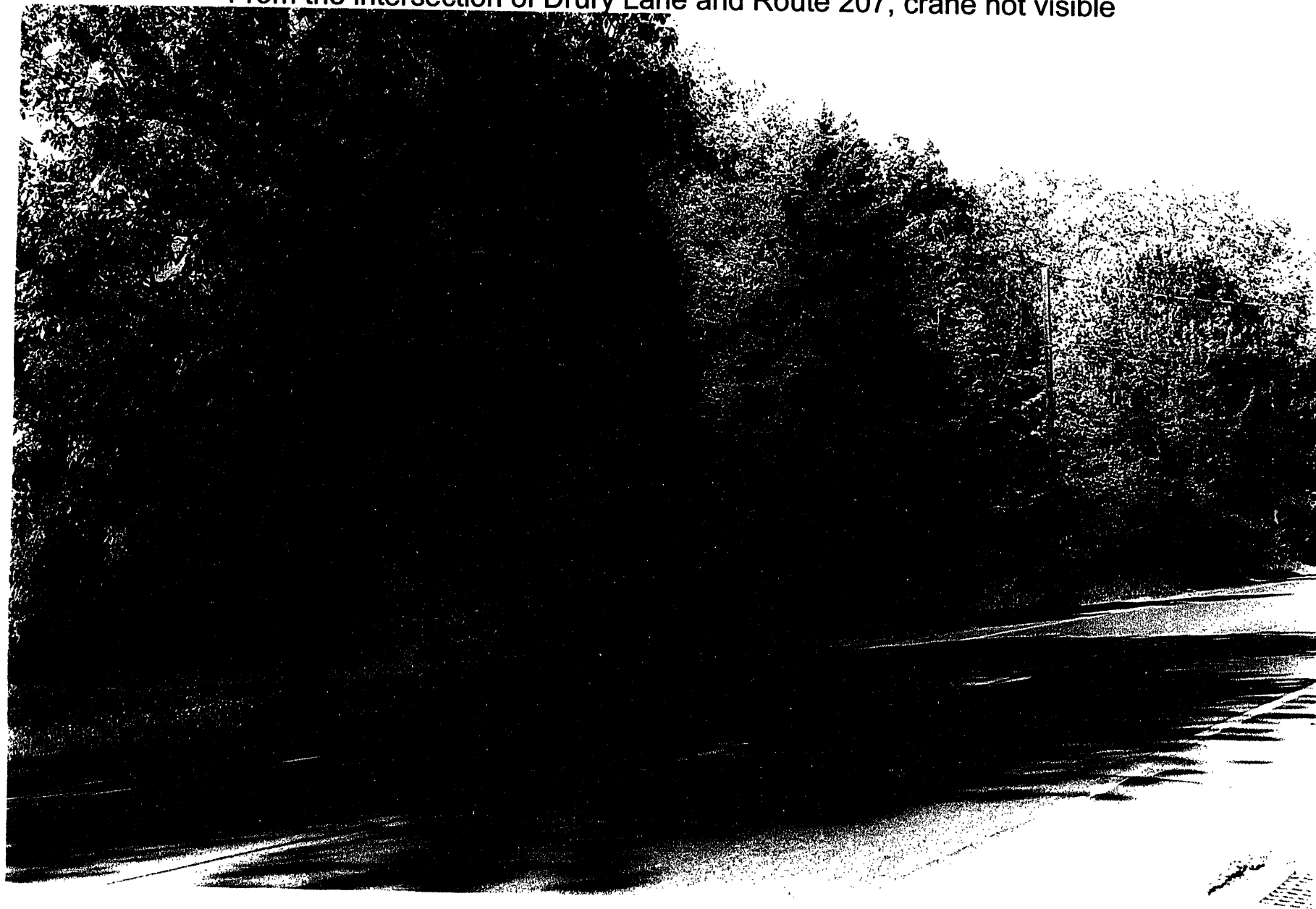


Photo by Creative Visuals, Inc. & Virtually Real, Inc.

View Point 14

From the intersection of Drury Lane and James A. Kelly Drive, at the entrance to Crestview Lake  
Crane not visible

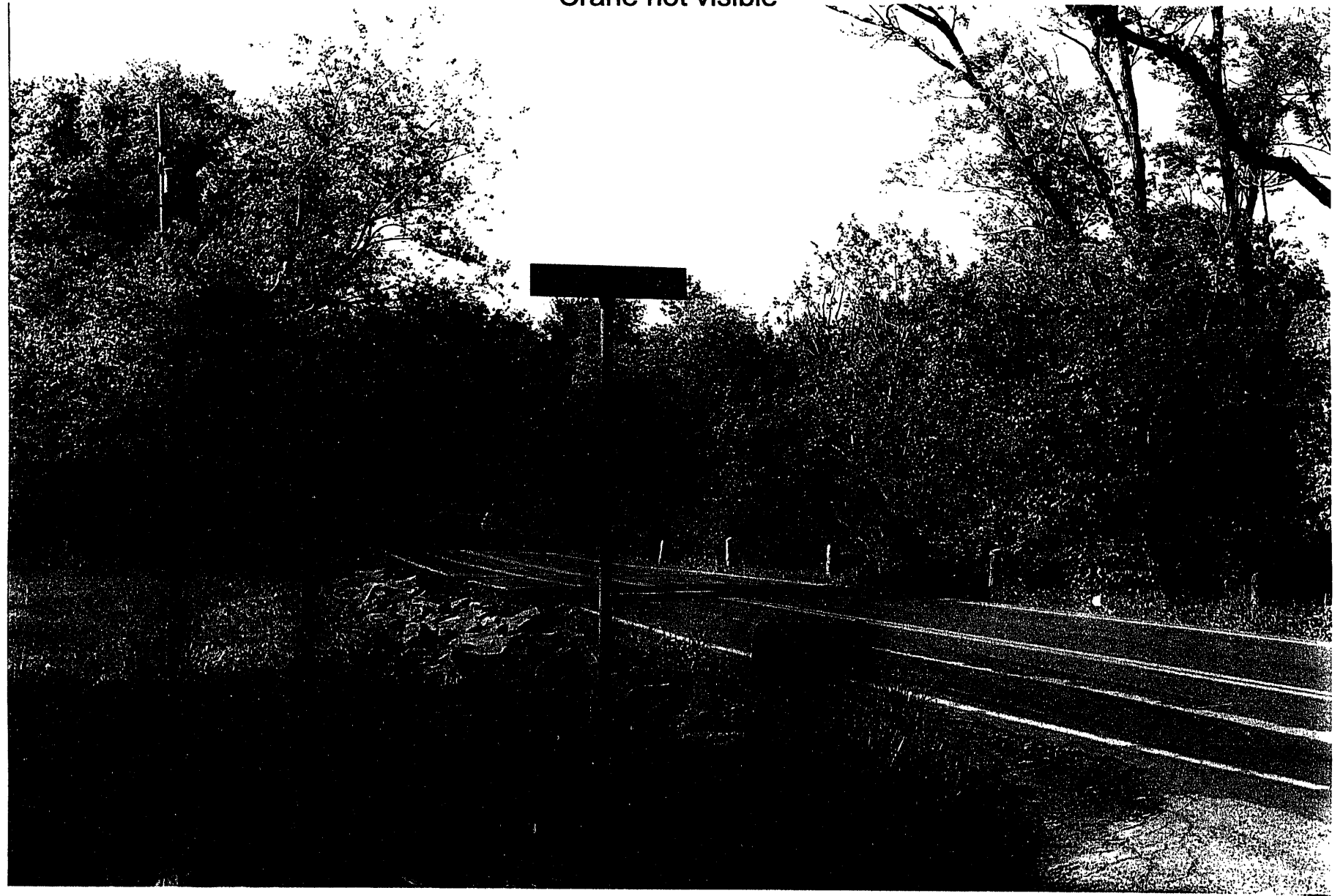


Photo by Creative Visuals, Inc. & Virtually Real, Inc.

## PRE-FILING FAA SUMMARY REPORT

Site # / Site Name: NY 2035 New Windsor Terrace

Model ID: P- NY 2305-03

City, State: New Windsor, NY

Lease Signed: 2/28/01

Drawings Rec'd: 5/16/01

Requestor: M. Mahoney

Structure Summary: ☒ **New**

☐ **Existing**

☐ **Building**

☐ **Water Tower**

☐ **Lattice Tower**

Structure Height: 150 ' AGL

☒ **Monopole**

Antenna Height: 150 ' AGL

☐ **Other** \_\_\_\_\_

### Conclusion of Airspace Study:

This site ☒ **does** / ~~does not~~ exceed part 77 guidelines.

Structure within 1.5 NM of a Navaid

Yes ☒ **No**

Structure within 1.5 NM of a Communication Facility

Yes ☒ **No**

Structure within interference radius of AM Radio Station

Yes ☒ **No**

This is a ☒ **mandatory** / ~~courtesy~~ filing for Nextel.

The structure ~~will~~ ☒ **will not** require marking or lighting  
(opinion only - subject to FAA Determination).

Signature: Glenn Simpson Glenn Simpson Date 5/17/01

Comments:


 U.S. Department of Transportation  
 Federal Aviation Administration

Failure To Provide All Requested Information May Delay Processing of Your Notice

 FOR FAA USA ONLY  
 Aeronautical Study Number

# Notice of Proposed Construction or Alteration

## 1. Sponsor (person, company, etc. proposing this action):

 Attn. of: Raulf Neelis NY2035 New Windsor Terrace  
 Name: Nextel Communications  
 Address: One North Broadway, 2nd Floor

 City: White Plains State: NY Zip: 10601-2310  
 Telephone: (914) 490-4468 Fax: (914) 421-2757

## 2. Sponsor's Representative (if other than #1):

 Attn. of: Gloria Simpson  
 Name: Nextel Communications  
 Address: One North Broadway, 2nd Floor

 City: White Plains State: NY Zip: 10601-2310  
 Telephone: (914) 448-4427 Fax: (914) 421-2757
3. Notice of: ☒ New Construction ☐ Alteration ☐ Existing4. Duration: ☒ Permanent ☐ Temporary (      months,      days)5. Work Schedule: Beginning 06/25/01 End 12/27/02
 6. Type: ☐ Antenna Tower ☐ Crane ☐ Building ☐ Power Line  
☐ Landfill ☐ Water Tank ☒ Other Monopole

## 7. Marking/Painting and/or Lighting Preferred:

☐ Red Lights and Paint ☐ Dual - Red and Medium Intensity White  
☐ White - Medium Intensity ☐ Dual - Red and High Intensity White  
☐ White - High Intensity ☒ Other

8. FCC Antenna Structure Registration Number (if applicable):

9. Latitude: 41 ° 28 ' 27.0 "10. Longitude: 074 ° 08 ' 3.00 "11. Datum: ☒ NAD 83 ☐ NAD 27 ☐ Other12. Nearest City: New Windsor State: NY
 13. Nearest Public-use (not private-use) or Military Airport or Heliport:  
SWF: STEWART INT'L
14. Distance from #13. to Structure: 9768 ft.15. Direction from #13. to Structure: 217 degrees16. Site Elevation (AMSL): 484 ft.17. Total Structure Height (AGL): 150 ft.18. Overall Height (#16. + #17.) (AMSL): 634 ft.

19. Previous FAA Aeronautical Study Number (if applicable):

- OE

 20. Description of Location: (Attach a USGS 7.5 minute  
 Quadrangle Map with the precise site marked and any certified survey.)

 Rock Tavern Industrial Park - Route 207, New Windsor, NY  
 12553.

 The site is located 1,910' southwest of the intersection of  
 Rte. 54 and Rte. 207. The site is located 13,501' on a true  
 bearing of 216.67 degrees from the ARP of SWF: STEWART  
 INT'L.

## 21. Complete Description of Proposal:

 This proposed cellular communications installation operates in the 851.0 - 866.0, 806.0 - 821.0 MHz band  
 with 100.0 Watts ERP.

 Nextel proposes to mount antennas to reach 150' AGL on this new 150' AGL structure owned by Rock Tavern  
 Village LP, 614 Little Britain Rd., New Windsor, NY 12553.

 The structure will be 1,404' from a taller structure which is marked and lit (FM radio WGNV), therefore we  
 request that this structure not require marking or lighting.

Frequency Power (KW)

 Notice is required by 14 Code of Federal Regulations, Part 77 pursuant to 49 U.S.C., Section 44718. Persons who knowingly and willingly violate the notice  
 requirements of part 77 are subject to a civil penalty of \$1,000 per day until the notice is received, pursuant to 49 U.S.C., Section 46301 (a).

 I hereby certify that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to mark  
 and/or light the structure in accordance with established marking & lighting standards as necessary.

Date

05-17-2001

Typed or Printed Name and Title, of Person Filing Notice

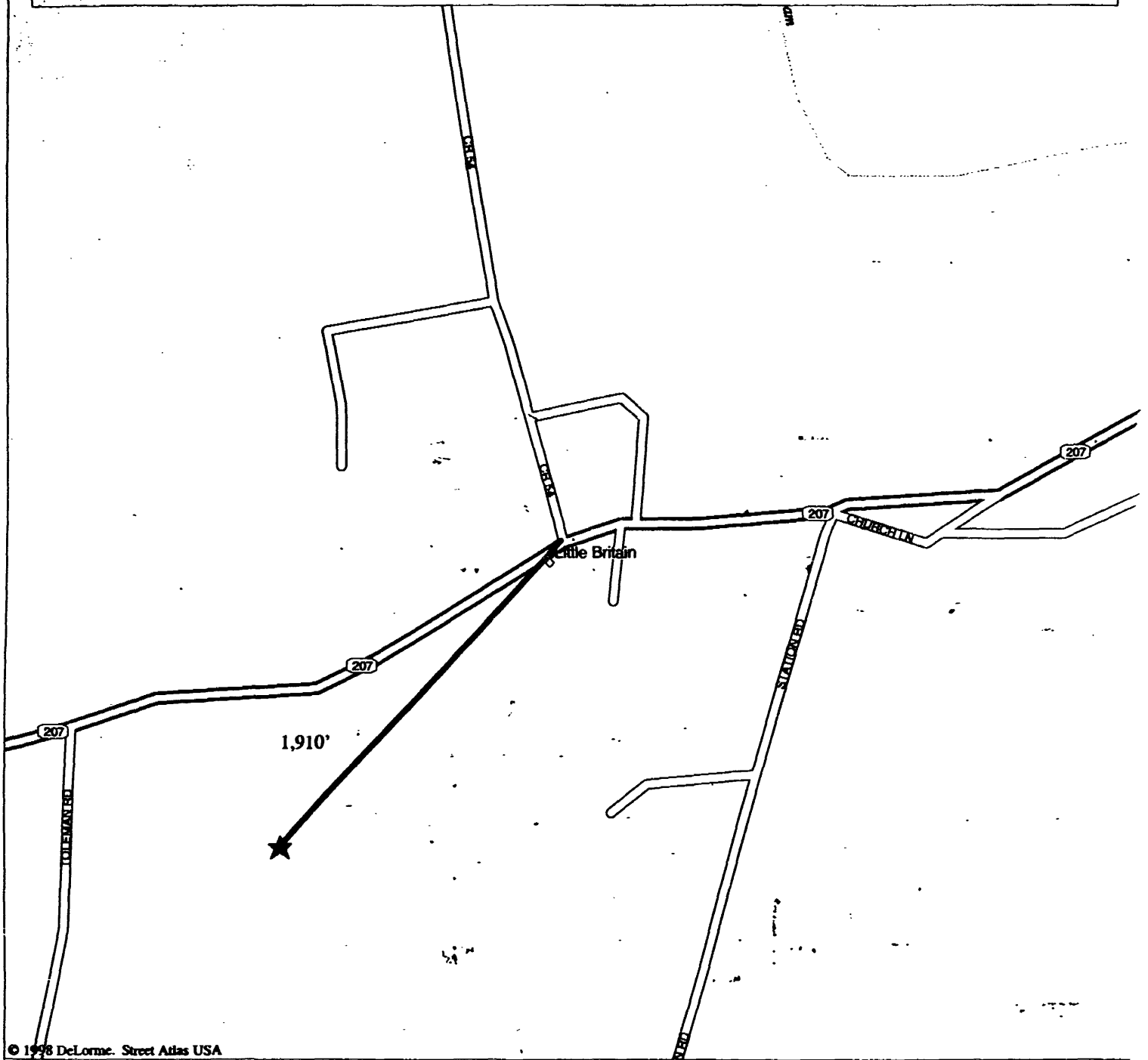
Raulf Neelis, Project Manager/Engineering Services

Signature



MAYBROOK, NY

# NY2035



Mag 16.00

Wed May 16 17:40 2001

Scale 1:7,812 (at center)

500 Feet

200 Meters

Auth 4A 99308

296

# VOR RWY 27

AL-450 (FAA)

NEWBURGH/STEWART INTL (SW)  
NEWBURGH, NEW Y

ATIS 124.575  
NEW YORK APP CON  
132.75 387.15  
STEWART TOWER  
121.0 254.4  
GND CON  
121.9  
UNCOM 122.95

A 2382

A 1850 ±

A 2000

2500 (4.3)

IAF KINGSTON  
117.6 IGN 25.1  
Chen 123

NoPT for arrivals on  
IGN VOR/DME airway radials  
013 Clockwise 141.

804 A 870 A  
690 ± A

SCRUG INT  
IGN 11.5

DAFFR INT  
IGN 6.3

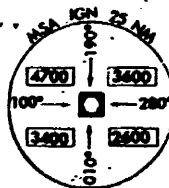
A 1740

A 1500

1698 A

1644

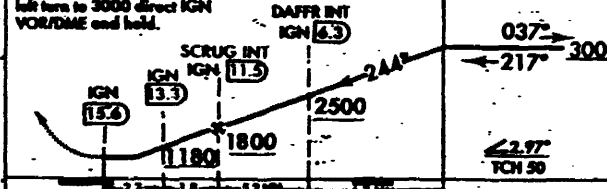
10 NMA



## MISSED APPROACH

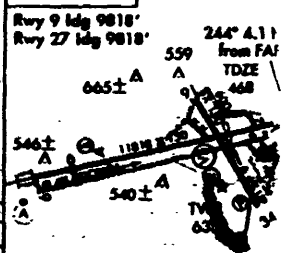
Climb to 1200, then climbing  
left turn to 3000 direct IGN  
VOR/DME and hold.

One Minute  
Holding Pattern



CATEGORY	A	B	C	D
S-27	1180-1 712 (700-1)	1180-2 712 (700-2)	1180-2 712 (700-2)	1180-2 712 (700-2)
CIRCLING	1180-1 689 (700-1)	1180-2 689 (700-2)	1180-2 689 (700-2)	1180-2 689 (700-2)
DME MINIMUMS				
S-27	940-1 472 (500-1)	940-1 472 (500-1)	940-1 472 (500-1)	940-1 472 (500-1)
CIRCLING	1040-1 549 (600-1)	1100-1 609 (700-1)	1100-2 609 (700-2)	1100-2 609 (700-2)

ELEV 491



TDZ/CL Run 9  
HRL Run 9-27  
MRL Run 16-34  
REL Run 16, 27 and 34

FAF to MAP 4.1 NM					
Knob	60	90	120	150	180
Min-Sec	4:06	2:44	2:03	1:30	1:15

# VOR RWY 27

41°30'N - 74°06'W

NEWBURGH, NEW Y  
NEWBURGH/STEWART INTL (SW)

Auth 4A 99308

**Study: NY2035**  
New Windsor, NY

**Site Information**

Latitude:..... 41-28-27    41.4741666666667  
Longitude:..... 74-8-3    74.1341666666667  
Ground Elevation:..... 484 feet AMSL  
Structure Height:..... 150 feet AGL  
Overall Height:..... 634 feet AMSL

**City Information**

Nearest City:..... Washingtonville, NY  
Distance:..... 3 Statute Miles  
Direction:..... 211 Degrees (true bearing)

**Nearest Landing Facility Information**

Analyzed by Airspace® on: 05-17-2001. Using AIRSPACE® Version 6.0.70  
Nearest Public Use landing facility is: SWF: STEWART INT'L  
Distance to ARP is: 13501 ft. or 2.2219 nm.  
Direction to ARP is: 36.67 degrees (true bearing)  
Distance to the nearest runway is: 9768 ft. or 1.6076 nm.  
**DNE FAR 77.13(a)(1). EXCEEDS FAR 77.13(a)(2) Notice Criteria.**

**INFORMATION ONLY**

**Private use landing facilities are not studied under FAR Part 77.**

This study did not indicate any private use facilities. Please conduct another analysis using Airspace® to locate private-use landing facilities.

Date Printed: 05-17-2001

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**RF Emissions Experts**

**AN EDWARDS AND KELCEY SERVICE**

***Analysis and Report  
of RF Exposure Levels  
and Compliance with  
FCC Regulations***

***New Windsor, NY Site  
Drury Lane & Route 207  
NY2035***

***Prepared for  
Nextel Communications***

***March 8, 2001***

**EDWARDS AND KELCEY**  
299 Madison Avenue - PO Box 1936  
Morristown, NJ 07962-1936

Tel: 973-267-8830 Fax: 973-267-3555  
Email: gburylo@ekmail.com  
Internet: <http://www.ekcorp.com>

**PROPRIETARY - NEXTEL AND EDWARDS AND KELCEY**

This document has been prepared for Nextel for its use in demonstrating RF compliance, as necessary, to federal, state and/or local authorities, and/or site landlords. Distribution beyond that described is prohibited without the express written consent of Edwards and Kelcey.



## FCC RF COMPLIANCE ANALYSIS FOR

Nextel Communications

New Windsor, NY Monopole

This site compliance report is organized as follows:

- Site Technical Data (supplied by client)
- Analysis Method and Assumptions
- The FCC RF Radiation Exposure Regulations
- Applicable Formulas
- Analysis Results
- Conclusion

### SITE TECHNICAL DATA

Facility type	150' Monopole
Frequency bands	851 – 866 MHz
Antenna types	Directional
Antenna major dimension (length)	4 ft.
Maximum antenna gain	12 dBd
Antenna mounting heights (above ground level)	148 ft.
Total number of antennas	12 (4 per sector)
Total number of transmit antennas per sector	4 transmit
Maximum number of channels per sector	8 channels
Maximum effective radiated power (ERP) per channel	100 watts
Other facilities within 500 feet	See Report

### ANALYSIS METHOD AND ASSUMPTIONS

Type of analysis	Maximum / ground-level
Area analyzed	0' to 500' from monopole
Classification of area	Uncontrolled (gen. pop.)
FCC Maximum Permissible Exposure (MPE) limit	0.567 mW/ cm <sup>2</sup>
Mathematical model	Point source, far field
Assumed ground reflection factor	100%
Assumed human height	6'0"
Vertical antenna discrimination	from Ant. Mfr. data

## **THE FCC RF RADIATION EXPOSURE REGULATIONS**

This RF exposure analysis is based on the current FCC guidelines for human exposure to RF fields, which represent the consensus of federal agencies responsible for RF safety matters. Those agencies include the National Council on Radiation Protection and Measurements (NCRP), the Occupational Health and Safety Administration (OSHA), the National Institute for Occupational Safety and Health (NIOSH), the American National Standards Institute (ANSI), the Environmental Protection Agency (EPA), and the Food and Drug Administration (FDA). In formulating its guidelines, the FCC also considered input from the public and technical community – notably the Institute of Electrical and Electronics Engineers (IEEE).

The FCC's RF exposure guidelines are incorporated in Section 1.1301 *et seq* of its Rules and Regulations. Those guidelines specify maximum permissible exposure (MPE) levels for both occupational and general population exposure on a continuous basis, as well as averaging times for each of those categories when and if exposure exceeds the specified continuous exposure limits. (The concept of averaging time will be ignored in this analysis, as the results show the potential exposure levels are far below those permitted even for continuous exposure.)

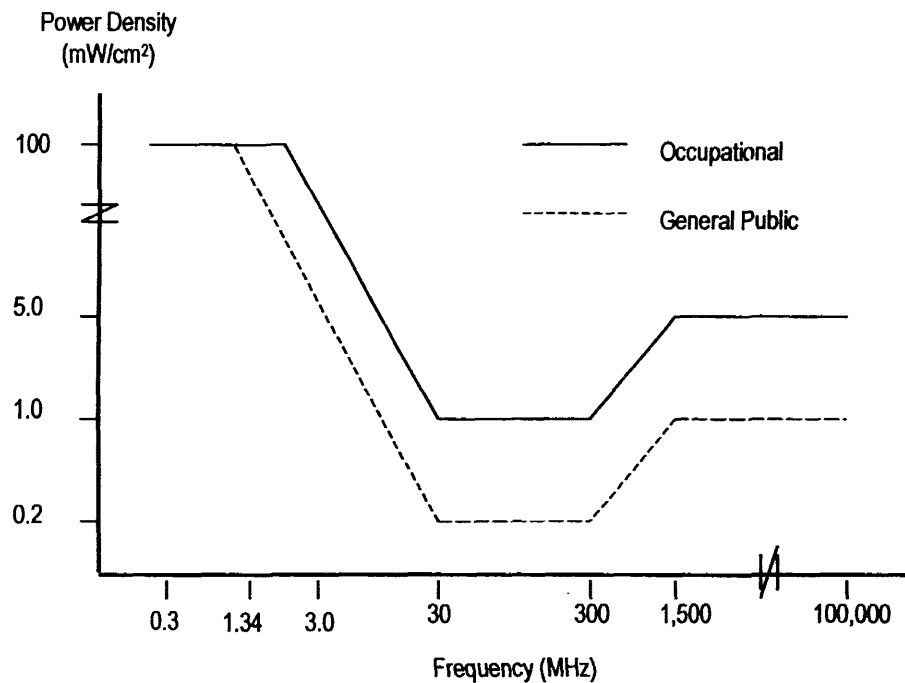
The specified continuous exposure MPE limits are based on known variation of human body susceptibility in different frequency ranges, and a Specific Absorption Rate (SAR) of 4 watts per kilogram, which is universally considered to accurately represent human capacity to dissipate incident RF energy (in the form of heat). The occupational MPE guidelines incorporate a safety factor of 10 or greater with respect to RF levels known to represent a health hazard, and an additional safety factor of five is applied to the MPE limits for general population exposure. Thus the general population MPE limit has a built-in safety factor of more than 50. Continuous exposure at levels equal to or below the applicable MPE limits is considered to result in no adverse health effects on humans.

The reason for two tiers of MPE limits is based on an understanding and assumption that members of the general public are unlikely to have had appropriate RF safety training and may not be aware of the exposures they receive; occupational exposure in controlled environments, on the other hand, is assumed to involve individuals who have had such training, are aware of the exposures, and know how to maintain a safe personal work environment.

The FCC's RF exposure limits are expressed in two equivalent forms, using alternative units of field strength (expressed in volts per meter, or V/m), and power density (expressed in milliwatts per square centimeter, or mW/cm<sup>2</sup>). The more popularly used reference unit is power density, as it is more easily understood. One milliwatt per square centimeter is approximately the energy impinging on an area roughly one-fourth the size of a dime from a light bulb emitting ten thousand times less than the energy of a common 100-watt bulb. The table below lists the FCC limits for both occupational and general population exposure to different radio frequencies.

Frequency Range (F) (MHz)	Occupational Exposure (mW/cm <sup>2</sup> )	General Public Exposure (mW/cm <sup>2</sup> )
0.3 - 1.34	100	100
1.34 - 3.0	100	$180 / F^2$
3.0 - 30	$900 / F^2$	$180 / F^2$
30 - 300	1.0	0.2
300 - 1,500	$F / 300$	$F / 1500$
1,500 - 100,000	5.0	1.0

The figure below provides a graphical illustration of both the FCC's occupational and general population MPE limits.



FCC MPE limits – graphical representation

The FCC makes it clear that the MPE limits apply only in accessible areas. Fundamentally, in areas that are considered normally inaccessible, the exposure issue is moot.

## APPLICABLE FORMULAS

According to FCC Bulletin OET65, different mathematical models apply to different distances around an antenna. At the height of the antenna, the breakpoint is the "far-field distance", calculated as the ratio of the square of the major dimension of the antenna divided by the signal wavelength. Beyond the far-field distance at the height of the antenna, as well as at ground-level underneath the antenna, a "far-field point source" model applies; within that distance, a "near-field" cylindrical model applies. The subsections below provide background on the two applicable models in the 851 - 866 MHz band.

### Far-Field Point Source Model

$$(1) \quad S \text{ [mW/cm}^2\text{]} = (4 * \text{EIRP}_{\text{max}} * \text{VertAntDisc}(\phi)) / (4 * \pi * R^2_{\text{cm}})$$

$$(2) \quad \text{FCC MPE limit} = 0.567 \text{ mW/cm}^2 \text{ (at 851 MHz)}$$

$$(3) \quad \text{MPE\%} = 100 * (S / 0.567)$$

where:

$S$  = Calculated power density

4 (in numerator) = 100% field ground reflection effect  
(has  $[1 + 1]^2 = 4$  effect on power density)

$\text{EIRP}_{\text{max}}$  = Maximum effective isotropically radiated power  
(Note: EIRP is 64% higher than ERP, which is referenced to a half-wave dipole)

$\text{VertAntDisc}(\phi)$  = Numeric factor for antenna discrimination (EIRP reduction) in the vertical plane, applicable at downward angle  $\phi$  to a 6' human standing on ground, calculated at distances from 0' to 500' away from the antenna

$R$  = Straight-line distance from antenna to 6' human

$\text{MPE\%}$  = Calculated exposure level, as a percentage of the FCC MPE limit for continuous exposure of the general population

### Near-Field Cylindrical Model

(1)  $S \text{ [mW/cm}^2\text{]} = (P_i * ACF / (2 \pi R h))$

(2) FCC MPE limit = 0.567 mW/cm<sup>2</sup>

(3) MPE% = 100 \* (S / 0.567)

where:

S = Calculated power density

P<sub>i</sub> = Total power input to the antenna, in mW

ACF = Antenna correction factor (adjustment to near-field power density calculation to compensate for the antenna mounting height above ground level and resulting partial-body exposure; see Richard Tell article listed in the References)

R = Straight-line distance from antenna to 6' human

h = Subtended height of the antenna, in cm

MPE% = Calculated exposure level, as a percentage of the FCC MPE limit for continuous exposure of the general population

### **ANALYSIS RESULTS – GROUND-LEVEL**

Table 1 on the following page, summarizes the results of the calculations using the site data, method and far-field point source described above. Note that the information on the vertical antenna discrimination has been taken from the antenna manufacturer's specification sheets. Please note that while the tabular distances are listed in feet, the calculations translate these units into centimeters, to match the FCC specification of MPE units. Also note that 'G dist' represents the distance in feet from the base of the monopole.

Ground Level at Monopole					
G dist	R dist	V angle	V disc	MW/cm <sup>2</sup>	GPMPPE%
0	140.0	90.0	0.002	0.0001	0.016
20	141.4	81.9	0.002	0.0001	0.016
40	145.6	74.1	0.002	0.0001	0.015
60	152.3	66.8	0.002	0.0001	0.014
80	161.2	60.3	0.002	0.0001	0.012
100	172.0	54.5	0.006	0.0002	0.034
120	184.4	49.4	0.032	0.0008	0.147
140	198.0	45.0	0.032	0.0007	0.128
160	212.6	41.2	0.032	0.0006	0.111
180	228.0	37.9	0.126	0.0022	0.384
200	244.1	35.0	0.126	0.0019	0.335
220	260.8	32.5	0.126	0.0017	0.294
240	277.8	30.3	0.126	0.0015	0.259
260	295.3	28.3	0.158	0.0016	0.288
280	313.0	26.6	0.158	0.0015	0.256
300	331.1	25.0	0.158	0.0013	0.229
320	349.3	23.6	0.158	0.0012	0.206
340	367.7	22.4	0.158	0.0011	0.186
360	386.3	21.3	0.158	0.0010	0.168
380	405.0	20.2	0.158	0.0009	0.153
400	423.8	19.3	0.316	0.0016	0.279
420	442.7	18.4	0.316	0.0015	0.256
440	461.7	17.7	0.316	0.0013	0.235
460	480.8	16.9	0.316	0.0012	0.217
480	500.0	16.3	0.316	0.0011	0.201
500	519.2	15.6	0.316	0.0011	0.186

**Table 1. 851 MHz ground level RF power density and percent-of-MPE calculations.**

The ground level areas around the monopole were rated using the Far-Field Point Source Model described above. In these areas, the worst case calculations are 0.0022 mW/cm<sup>2</sup>, or 0.384% of the maximum recommended exposure for the general population.

## **CONCLUSION**

The calculations presented above demonstrate that the maximum potential exposure to radio frequency emissions is significantly below the FCC recommended levels for safety. The ground level around the monopole is  $0.0022 \text{ mW/cm}^2$ , or 0.384 % of the maximum recommended level, and is safe for exposure (based on FCC requirements) of the general public.

Even with the low exposure levels, Edwards and Kelcey, Inc, recommends that FCC 'Notice' signage be placed on the fence gate. This will alert visitors to the site that radio frequency emitters are in the area.

Therefore, the Nextel telecommunications facility should not create a significant risk of exposure to RF emissions to the general population. And, according to the calculations, and based on the installation of signage described above, the Nextel wireless facility is in compliance with the FCC regulations concerning the control of potential RF exposure.



### **CERTIFICATION**

This report was prepared by George Burylo, Director -- Engineering Services. The undersigned certifies that the analysis provided herein is consistent with the applicable FCC Rules and Regulations and accepted industry practice.

  
George Burylo

March 8, 2001

Edwards and Kelcey, Inc.

## **REFERENCES**

47 CFR, FCC Rules and Regulations, Section 1.1301 *et seq.*

FCC Second Memorandum Opinion and Order and Notice of Proposed Rulemaking (FCC 97-303), *In the Matter of Procedures for Reviewing Requests for Relief From State and Local Regulations Pursuant to Section 332(c)(7)(B)(v) of the Communications Act of 1934 (WT Docket 97-192), Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation (ET Docket 93-62), and Petition for Rulemaking of the Cellular Telecommunications Industry Association Concerning Amendment of the Commission's Rules to Preempt State and Local Regulation of Commercial Mobile Radio Service Transmitting Facilities*, released August 25, 1997.

FCC First Memorandum Opinion and Order, ET Docket 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, released December 24, 1996.

FCC Report and Order, ET Docket 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, released August 1, 1996.

FCC Office of Engineering and Technology (OET) Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields", Edition 97-01, August 1997.

FCC Office of Engineering and Technology (OET) Bulletin 56, "Questions and Answers About Biological Effects and Potential Hazards of RF Radiation", 1989.

Richard Tell, "CTIA's EME Design and Operation Considerations for Wireless Antenna Sites", November 15, 1996.

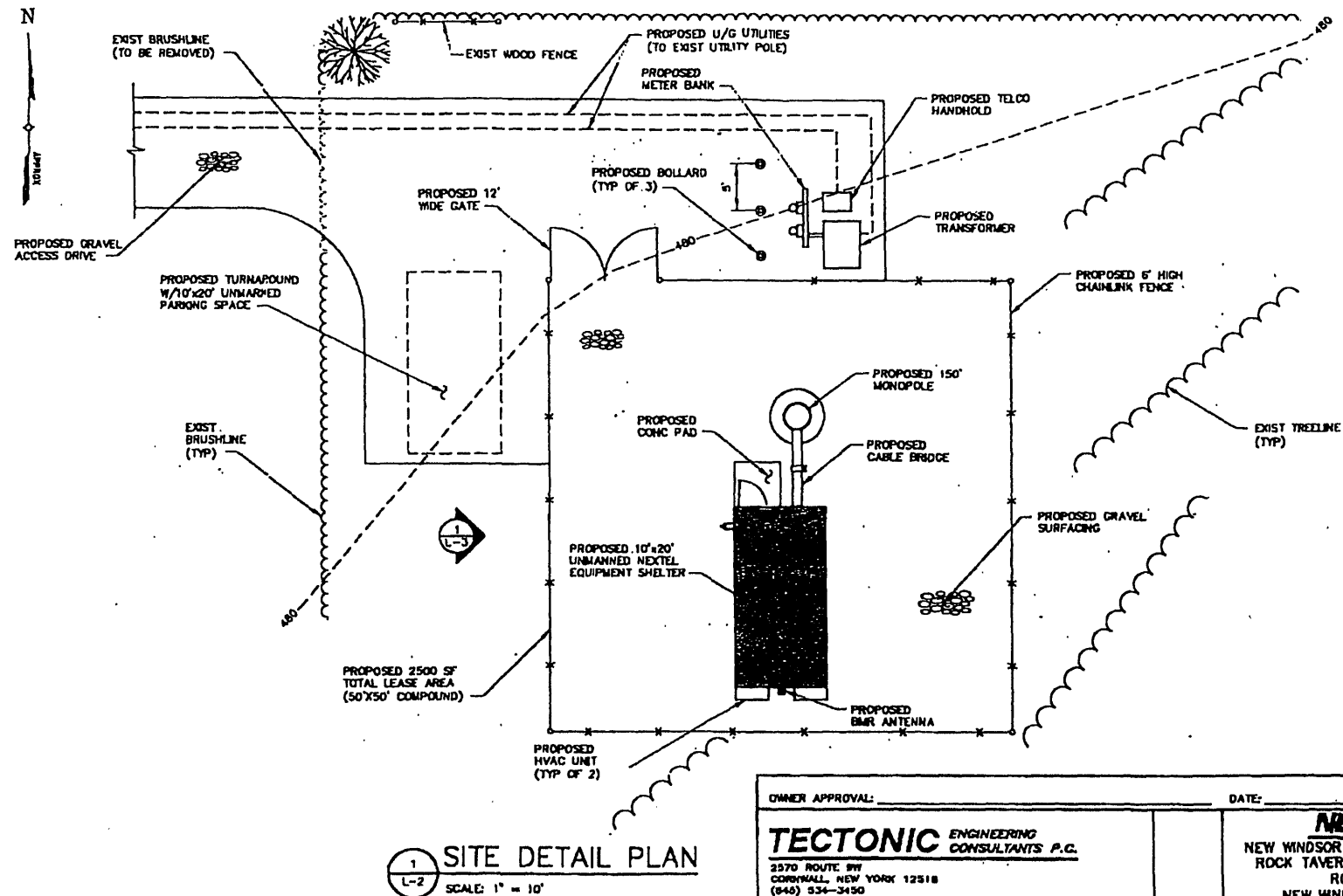
**ATTACHMENTS**

**Site Data**

**Exhibit "B"****CLIENT-PROVIDED SITE DATA  
FOR OFFICE-BASED  
RF COMPLIANCE ANALYSIS**

Return completed form to:  
Shel Leader (973-267-0555 x1157)  
Fax: (973) 267-3555

<b>COMPANY NAME</b>	Nextel Communcations
<b>CONTACT NAME</b>	Carlo Saenz
<b>CONTACT PHONE</b>	845 680 0030
<b>SITE NAME</b>	New Windsor Central
<b>SITE ADDRESS AND, IF AVAILABLE, LATITUDE AND LONGITUDE (DMS)</b>	Corner of Drury Ln and Rte 207, New Windsor
<b>SITE TYPE</b> (circle one)	TOWER
<b>TOWER / BUILDING HEIGHT</b>	150'
<b>SITE STATUS</b> (circle one)	PROPOSED
<b>OTHER COLLOCATED RADIO OPERATION ?</b>	YES NO X (if YES, see page 2)
<b>SITE ACCESS RESTRICTIONS ?</b> (describe; use separate page if necessary)	N/A
<b>RADIO SERVICE TYPE</b> (use separate sheets for multiple services)	SMSR
<b>IF SECTORIZED SERVICE, HOW MANY SECTORS?</b> (use separate sheets if Tx parameters differ per sector)	3
<b>NUMBER OF Tx RADIO CHANNELS</b>	24
<b>TRANSMITTING FREQUENCY RANGE (MHz)</b>	851-866 mhz
<b>EQUIPMENT TRANSMITTER POWER (Watts)</b> (power delivered to the antenna line)	100W (max)
<b>ANTENNA LINE LOSS (dB)</b>	
<b>ANTENNA TYPE(s)</b> (manufacturer / model, or type and dimension)	Decibel DB844H90
<b>MAX ANTENNA GAIN</b> (specify dBd or dBi)	12dbd
<b>EFFECTIVE RADIATED POWER (Watts)</b> (specify power per channel or total)	100
<b>ANTENNA MOUNTING HEIGHT</b> (above ground, if tower; above roof level if rooftop)	148'
<b>SITE PLAN / SKETCH PROVIDED OR AVAILABLE?</b>	YES X NO (if NO, see page 2)
<b>ADJACENT TOWER OR OTHER RADIO NEARBY?</b> (within 500 feet)	YES NO X (if YES, provide distance, details)
<b>OTHER RELEVANT SITE DETAILS</b> (add additional sheet, if necessary)	
<b>DATE ANALYSIS IS REQUESTED AND, IF APPLICABLE, DATE OF HEARING</b>	3/9/01



OWNER APPROVAL:

DATE:

**TECTONIC**

ENGINEERING  
CONSULTANTS P.C.

2570 ROUTE 9W  
CORNWALL, NEW YORK 12518  
(845) 534-3450

**NEXTEL**

NEW WINDSOR CENTRAL (NY-2035)  
ROCK TAVERN INDUSTRIAL PARK  
ROUTE 207  
NEW WINDSOR, NY 12553

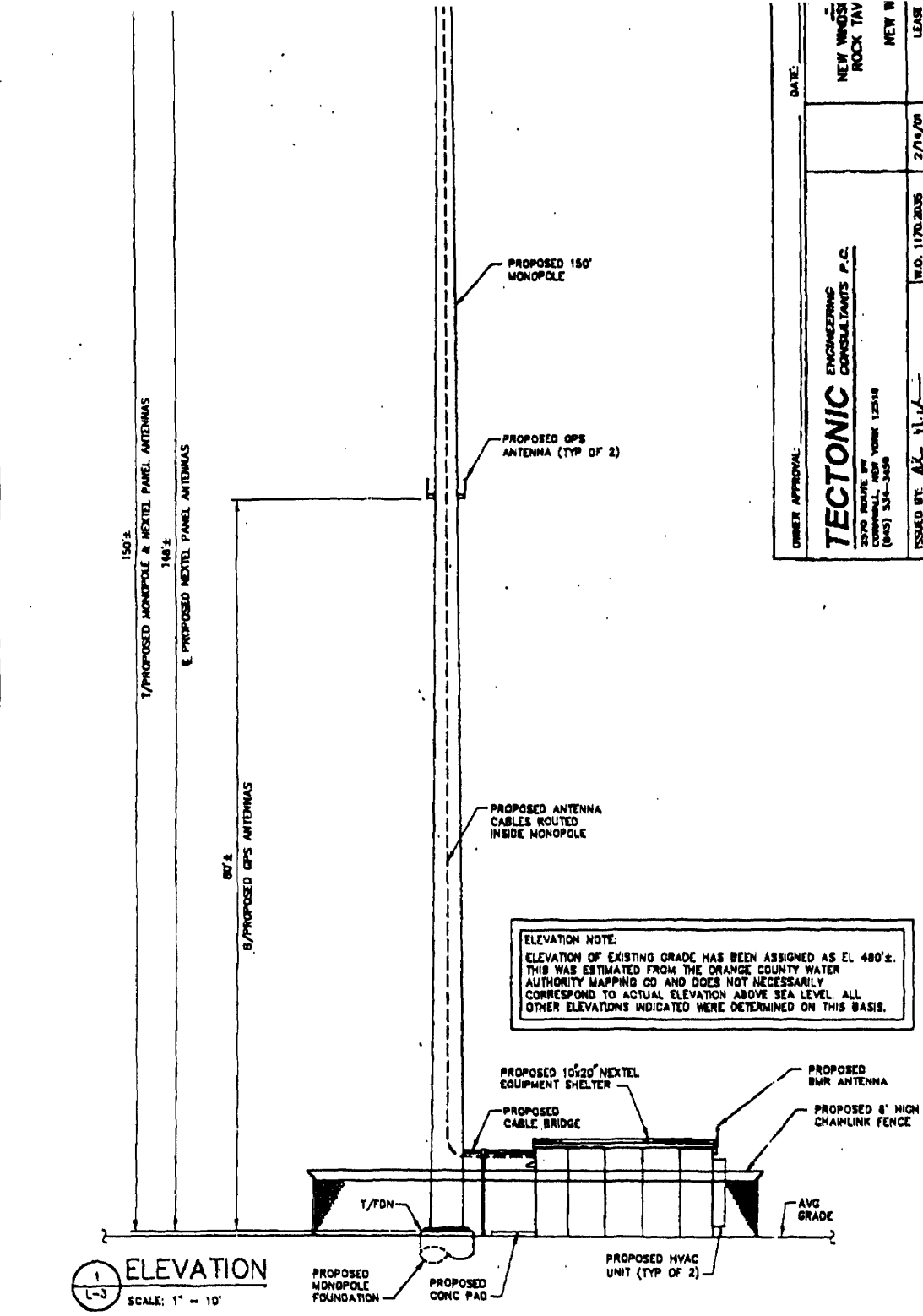
ISSUED BY: *AL N. J.*

W.O. 1170.2035

2/14/01

LEASE EXHIBIT

L-2



# RECEIPT

71623998466000030525

## FROM:

Snyder & Snyder, LLP  
RE:

## SEND TO:

Common Council  
City of Newburgh  
83 Broadway  
Newburgh NY 12550

## FEES:

Postage 0.34  
Certified Fee 1.50  
Special  
Restricted  
Receipt

TOTAL

\$ 3.74

POSTMARK OR DATE

USPS

2007

JUN 5

NEWBURGH NY

# RECEIPT

71623998466000030549

## FROM:

Snyder & Snyder, LLP  
RE:

## SEND TO:

Town Board  
Town of Newburgh  
1496 Route 300  
Newburgh NY 12550

## FEES:

Postage 0.34  
Certified Fee 1.50  
Special  
Restricted  
Receipt

TOTAL

\$ 3.74

POSTMARK OR DATE

USPS

2007

JUN 5

NEWBURGH NY

# RECEIPT

71623998466000030532

## FROM:

Snyder & Snyder, LLP  
RE:

## SEND TO:

Town Board  
Town of Hamptonburgh  
18 Bull Road  
Hamptonburgh NY 10916

## FEES:

Postage 0.34  
Certified Fee 1.50  
Special  
Restricted  
Receipt

TOTAL

\$ 3.74

POSTMARK OR DATE

USPS

2007

JUN 5

HAMPTONBURGH NY

# RECEIPT

71623998466000030594

## FROM:

Snyder & Snyder, LLP  
RE:

## SEND TO:

Orange County  
Emergency Communications  
14 High Street  
Chester NY 10918

## FEES:

Postage 0.34  
Certified Fee 1.50  
Special  
Restricted  
Receipt

TOTAL

\$ 3.74

POSTMARK OR DATE

USPS

2007

JUN 5

NEWBURGH NY

# RECEIPT

71623998466000030600

## FROM:

Snyder & Snyder, LLP  
RE:

## SEND TO:

Orange County Planning Depart  
124 Main Street  
Goshen NY 10924

## FEES:

Postage 0.34  
Certified Fee 1.50  
Special  
Restricted  
Receipt

TOTAL

\$ 3.74

POSTMARK OR DATE

USPS

2007

JUN 5

NEWBURGH NY

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

(212) 749-1448

FAX (212) 932-2693

WRITER'S E-MAIL ADDRESS  
**smandelbaum@snyderlaw.net**

WESTCHESTER OFFICE  
94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

DAVID L. SNYDER\*  
LESLIE J. SNYDER

\*ADMITTED NY, NJ AND DC

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:  
Westchester office

June 4, 2001

Town Board  
Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

Re: Application to Town of New Windsor  
by Nextel of New York, Inc. d/b/a Nextel Communications  
to install a wireless telecommunications facility  
at the Rock Tavern Industrial Park, Route 207, New Windsor, NY

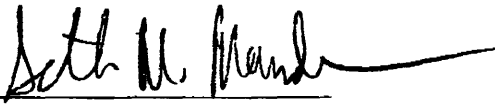
Dear Honorable Members of the Board:

Pursuant to the requirements of the Town of New Windsor's Zoning Code regarding telecommunications towers, I am writing to inform this body that Nextel of New York, Inc. d/b/a Nextel Communications is filing an application for a wireless telecommunications facility ("Facility") with the Town of New Windsor.

Please note that the Facility will be located at the Rock Tavern Industrial Park, Route 207, New Windsor, New York, and will consist of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof. The Facility will be designed to support the antennas of four (4) additional federally licensed wireless carriers, in order to minimize the overall number of towers in the Town of New Windsor and the surrounding area.

If you should have any questions, please do not hesitate to contact my office.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
Seth M. Mandelbaum, Esq.

SMM:srw

cc: Town of New Windsor Planning Board  
Esme Lombard/Maryanne Martabano



LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

(212) 749-1448

FAX (212) 932-2693

WRITER'S E-MAIL ADDRESS  
**smandelbaum@snyderlaw.net**

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:  
Westchester office

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TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

DAVID L. SNYDER\*  
LESLIE J. SNYDER

\*ADMITTED NY, NJ AND DC

June 4, 2001

Town Board  
Town of Hamptonburgh  
18 Bull Road  
Hamptonburgh, NY 10916

Re: Application to Town of New Windsor  
by Nextel of New York, Inc. d/b/a Nextel Communications  
to install a wireless telecommunications facility  
at the Rock Tavern Industrial Park, Route 207, New Windsor, NY

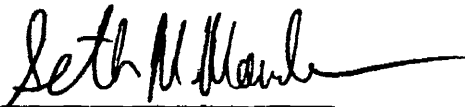
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Very respectfully submitted,  
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cc: Town of New Windsor Planning Board  
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WESTCHESTER OFFICE  
94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

DAVID L. SNYDER\*  
LESLIE J. SNYDER

\*ADMITTED NY, NJ AND DC

June 4, 2001

Common Council  
City of Newburgh  
83 Broadway  
Newburgh, NY 12550

Re: Application to Town of New Windsor  
by Nextel of New York, Inc. d/b/a Nextel Communications  
to install a wireless telecommunications facility  
at the Rock Tavern Industrial Park, Route 207, New Windsor, NY

Dear Honorable Members of the Council:

Pursuant to the requirements of the Town of New Windsor's Zoning Code regarding telecommunications towers, I am writing to inform this body that Nextel of New York, Inc. d/b/a Nextel Communications is filing an application for a wireless telecommunications facility ("Facility") with the Town of New Windsor.

Please note that the Facility will be located at the Rock Tavern Industrial Park, Route 207, New Windsor, New York, and will consist of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof. The Facility will be designed to support the antennas of four (4) additional federally licensed wireless carriers, in order to minimize the overall number of towers in the Town of New Windsor and the surrounding area.

If you should have any questions, please do not hesitate to contact my office.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
Seth M. Mandelbaum, Esq.

SMM:srw

cc: Town of New Windsor Planning Board  
Esme Lombard/Maryanne Martabano

smandelbaum@snyderlaw.net

Westchester office

June 5, 2001

Orange County Planning Department  
124 Main Street  
Goshen, NY 10924

Re: Application to Town of Warwick  
by Nextel of New York, Inc. d/b/a Nextel Communications  
to install a wireless telecommunications facility  
at 242 Pine Island Turnpike, Warwick, NY

Dear Orange County Planning Department:

Pursuant to the requirements of the Town of Warwick Wireless Telecommunications Law, I am writing to inform this body that Nextel of New York, Inc. d/b/a Nextel Communications is filing an application for a wireless telecommunications facility ("Facility") with the Town of Warwick.

Please note that the Facility will be located at 242 Pine Island Turnpike, Warwick, New York, and will consist of a 120 foot monopole with antennas, together with a related 200 square foot equipment shelter at the base thereof. The Facility will be designed to support the antennas of four (4) additional federally licensed wireless carriers, in order to minimize the overall number of towers in the Town of Warwick and the surrounding area.

If you should have any questions, please do not hesitate to contact my office.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By: \_\_\_\_\_  
Seth M. Mandelbaum, Esq.

SMM:srw

cc: Town of New Windsor Planning Board  
Esme Lombard/Maryanne Martabano

smandelbaum@snyderlaw.net

Westchester office

June 5, 2001

Orange County Emergency Communications  
14 High Street  
Chester, NY 10918

Re: Application to Town of New Windsor  
by Nextel of New York, Inc. d/b/a Nextel Communications  
to install a wireless telecommunications facility  
at the Rock Tavern Industrial Park, Route 207, New Windsor, NY

Dear Orange County Emergency Communications Department:

Pursuant to the requirements of the Town of New Windsor's Zoning Code regarding telecommunications towers, I am writing to inform this body that Nextel of New York, Inc. d/b/a Nextel Communications is filing an application for a wireless telecommunications facility ("Facility") with the Town of New Windsor.

Please note that the Facility will be located at the Rock Tavern Industrial Park, Route 207, New Windsor, New York, and will consist of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof. The Facility will be designed to support the antennas of four (4) additional federally licensed wireless carriers, in order to minimize the overall number of towers in the Town of New Windsor and the surrounding area.

If you should have any questions, please do not hesitate to contact my office.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By: \_\_\_\_\_  
Seth M. Mandelbaum, Esq.

SMM:srw

cc: Town of New Windsor Planning Board  
Esme Lombard/Maryanne Martabano



**NEWSBYTES®**

## 51 Million Wireless Emergency Calls Made In 2000

*By Martin Stone, Newsbytes*  
*WASHINGTON, D.C., U.S.A.,*  
25 May 2001, 6:02 AM CST

Wireless phone users completed 51 million emergency calls last year, a number breaking down to 140,000 such calls each day - or 96 per minute.

According to a survey released today by the Cellular Telecommunications & Internet Association (CTIA), the calls involved emergency and life-threatening situations and the reporting of drunk, impaired or aggressive drivers.

In a statement, CTIA President and CEO Tom Wheeler called wireless phones the greatest safety tools since the development of the 911 system.

The organization, which represents most players in the wireless communications industry, said it released the data to mark National Wireless Safety Week, which ends Sunday.

The association is at <http://www.ctia.org>.

Reported by Newsbytes.com, <http://www.newsbytes.com>.

06:02 CST

(20010525/WIRES ONLINE, TELECOM, BUSINESS/)

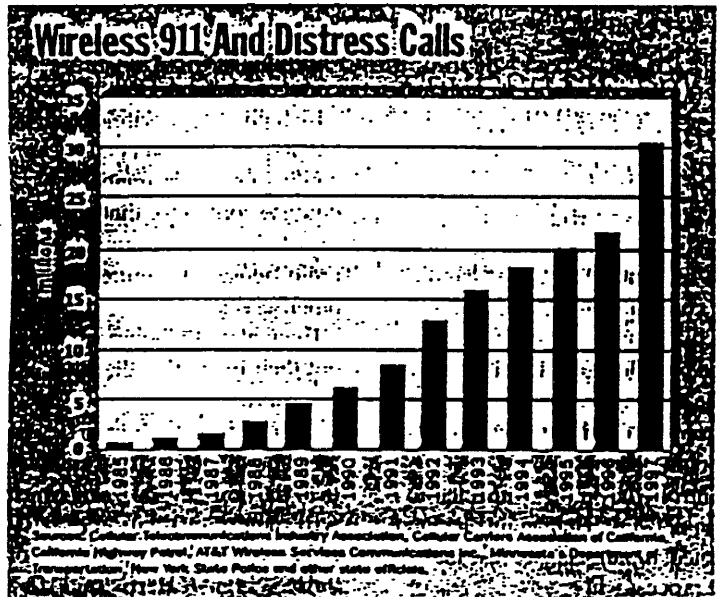
© 2001 The Washington Post Company

## Wireless E911 Calls Will Increase

The importance of wireless communications continues to grow as a safety tool. According to the most recent survey of the Cellular Telecommunications Industry Association, 30.5 million wireless calls were made to 911 or other emergency services during 1997—an average of 83,609 people each day. This compares to 21.6 million calls made in 1996.

The annual survey is based on information provided by police agencies. Most emergency calls from wireless phones are used to report automobile accidents and other roadside conditions.

According to the latest statistics provided by the National Highway Traffic Safety Administration, there were 6.6 million automobile accidents in 1995. ■





**Nextel Communications, Inc.**  
2001 Edmund Halley Drive  
Reston, VA 20191

*Media: Ben Banta (703) 433-4700*  
*Investors: Paul Blalock (703) 433-4300*

## **Nextel Supports National American Red Cross Disaster Relief Efforts**

RESTON, Va., May 22, 2000 — Nextel Communications (NASDAQ: NXTL) today announced that it is formalizing a three year agreement with the American National Red Cross for the donation of 245 wireless phones with accompanying accessories and service for disaster relief support.

The agreement, which was put in place last year, made it possible for the Red Cross to have instant communication during Hurricane Floyd, the Kosovar Refugee crisis, the Oklahoma City tornado and other national level disasters. In addition, the Nextel service provides a critical link for victims to locate and communicate with loved ones in the aftermath of a disaster. Nextel's total in-kind donation for the past year was valued at \$300,000.

The phones are activated for Level IV and Level V disasters at the request of the Red Cross Disaster Operations Center (DOC). A disaster is an occurrence such as hurricane, tornado, flood, tidal wave, earthquake, volcanic eruption, drought, blizzard, transportation accident or other situation that causes human suffering or creates human needs that the victims cannot alleviate without assistance.

"We are very proud to provide support to the National Red Cross disaster relief efforts," said Tim Donahue, president and CEO, Nextel Communications. "The Nextel phone, especially our digital two-way radio service makes it easier for Red Cross staff to have instant communications with each other during a disaster. We are very happy to provide the communications assistance."

"Nextel's all in one communications solution works extremely well for our communications needs during relief efforts," said Dr. John Clizbe, vice president for disaster services, National American Red Cross. "The Nextel phone saves time when teams can go directly from one location to another rather than coming back to headquarters to be dispatched again."

Nextel Communications Inc., headquartered in Reston, Va. is a leading provider of fully integrated wireless communications and has built the largest guaranteed all-digital wireless network in the United States that covers thousands of communities across the United States. Nextel and Nextel Partners Inc. currently serve 97 of the top 100 U.S. markets. The Nextel National Network offers a fully integrated wireless communications tool with digital cellular, text/numeric paging and Nextel Direct Connect® - a digital two-way radio feature. In addition, through Nextel International Inc., Nextel has wireless operations and investments in Canada, Mexico, Argentina, Brazil, the Philippines, Peru, Japan and Shanghai, China. Please visit our web page at <http://www.nextel.com>.

###

# The Metro Section

The New York Times

C I T Y

## 20% Increase in 911 Calls Is Seen As a Result of Cellular Phone Use

By KEVIN FLYNN

Even as crime in New York City has declined, the number of 911 emergency telephone calls has increased by 20 percent over the last two years, police officials told a City Council hearing yesterday. The officials attributed the increase to the proliferation of cell phones, which they said has meant that an emergency like a car accident is often reported not once or twice, but many times by people with cell phones as they drive by.

The city's 911 system is on pace to receive 12.7 million calls this year, compared with 10.4 million calls placed in 1999, Police Commissioner Bernard B. Kerik told the Council's Public Safety Committee.

Although the workload of 911 operators has greatly expanded, Mr. Kerik said that their efficiency, as gauged by citizen complaints and other measures, has improved. "The Police Department has met the challenge of increasing demands for service," he said.

But Councilman Sheldon S. Leffler, the chairman of the committee, said that the city had been too slow to upgrade the 911 system, which suf-

fered a significant breakdown two years ago, and had been remiss in not hiring enough Spanish-speaking operators for a city that is 27 percent Hispanic. Of the 1,200 operators who answer calls, only 17 are designated as Spanish speaking. In addition, union officials have complained that a shortage of operators has led the city to make some of them work long hours of overtime, a situation they have described as dangerous because of the potential for mistakes caused by fatigue.

This year, as part of his response to the increase in calls, Mayor Rudolph W. Giuliani announced that the city would study the possible creation of a new 311 system, which could be used for nonemergency calls, now estimated to be about 6 percent of 911 calls. Officials said yesterday that it was premature to discuss the status of the 311 proposal.

Mr. Kerik said reports of deficiencies in the 911 system were often overstated. He said 80 percent of the calls this year have been answered within five seconds. The city runs the 911 system out of a headquarters in Brooklyn, and plans to build a second 911 center in Lower Manhattan.



# Opinion

## Letters

### Cell phones vital to safety network

As stated in your editorial of Nov. 1, "Don't sell out the Hunch," I am dismayed that you take the position the state should not be leasing 50 along the Hutchinson River Park and 684 to put up cellular phone towers. You fail to see one obvious reason why the state must take this action: we in Westchester have horrible cell phone service. As someone who drives up and down the Hunch and 684 every day, I am amazed at how poor the phone reception is there. There is only one reason for this — communities have fought the placement of cell phone antennas in an unrealistic manner.

You may say that all this does is only inconvenience people who should be talking on cell phones while driving in any case. But cell phones are no longer a convenience. Cellular networks have become an integral part of our public safety network. Ambulances use them to communicate to hospitals so they know that they are on the way to get early intervention by a physician. Physicians are giving up their beepers because they are much easier to reach with a cellular phone. In all walks of life, people are relying on cellular phones help out in emergency situations. They are a necessary part of life now.

The state sees this, and is using the opportunity to override local opposition to the installation of a necessary piece of the public safety network. We need these towers on the Hunch and 684 now.

Louis Brusca Jr., M.D.  
Armonk

# North County

Serving Yorktown, Somers, Cortlandt, Putnam Valley and Ossining/John Jay Cross River and

Mahopac Sport.

Volume 34, Number 15

April 12 – April 18, 2000

## Cell phones useful for seniors

To the Editor:

Many thanks to ex-Somers Volunteer Fire Chief Bill Siemerling for giving me his cell phone for use in my position as school crossing guard. Used cell phones may be activated with a 9-1-1 emergency number only at your local police station or New York State Police Station. There is no monthly charge for this use. Contact your local senior citizen center to see if they will accept donations of used cell phones for their members.

**Thelma Barlow**  
Somers School Crossing Guard

THE JOURNAL NEWS  
ROCKLAND EDITION  
March 6, 1999

**A grandfather's  
life was saved  
by police, corps**

I would like to thank people for saving my grandpa's life.

Recently, during a snow and ice storm, he got very sick and had no regular phone line because a truck pulled down the wires that morning. If it were not for his cell phone, rescuers would have not been able to respond.

My grandpa could not breathe, and the E-911 response system, including the Clarkstown police and the Valley Cottage Ambulance Corps, saved his life.

JENNIFER JANICCI, 10  
Congers

**THE JOURNAL NEWS**  
**WESTCHESTER EDITION**  
April 8, 1999

## **2 women rescued from mountain**

**MICHAEL RISINI**  
The Journal News

**PHILIPSTOWN** — Two New City women who got lost yesterday on Breakneck Mountain were rescued by local fire departments after another hiker called 911 with his cellular telephone.

"They got on the wrong trail and didn't know their way back," Cold Spring Fire Chief Ralph Falloon said.

At least 15 members of Falloon's department and the North Highland Fire Department participated in the rescue, which started about 6:30 p.m.

With few other hikers on the mountain, Falloon said, it was "total luck and coincidence" that the New City women found another hiker who had a cell phone.

The women's names were unavailable last night. The two, who were described as in their 50s, both refused medical treatment and were off the mountain by 7:45 p.m.

## Cell Phones Are a Necessary Part of Life

To the Editor:

Your paper on July 17 contained a reminder for me of a problem we have that people do not think about. On page A4 you had a picture of the Mount Kisco's Fireman's Day Parade, while on the facing page there was a story about the continued irrational opposition to cellular phone towers. After the parade, I was driving up Lexington Avenue, near where one of the cell towers is supposed to go. I received a page from my hospital with an emergency code attached. I tried to call on my cell phone but had reception so bad that I had to drive to the nearest gas station a number of blocks away, but traffic was so bad because of the parade letting out that it took me 10 minutes to get to one. By the time I was able to call back, the patient I was being called about had suffered a cardiac arrest that the hospital staff were unable to resuscitate him from. I do not know if my calling in earlier would have made a difference, but it is hard to argue that it would have hurt the situation.

Cellular telephones are now an integral part of our society. Ambulances use them to communicate to hospitals to let them know that they are on the way and to get early intervention by a physician. Physicians are giving up their beepers because they are much easier to reach with a cellular phone. In Syram Hills, we have equipped our school nurses with cellular phones so that they can call for help from the scene of any accident. In all walks of life, people are relying on cellular phones to help out in emergency situations. They are a necessary part of life now.

In the absence of any good clinical data showing that cellular towers

pose any health risks at all, I would urge all people who oppose them to think for a second and reconsider. Do you really want the ambulance driver to not be able to tell the hospital that they are bringing you or your loved one into the hospital with a cardiac arrest so that the hospital can be ready? Cellular phones contribute to general safety in our communities. They are a part

of life now. Deal with it being so stubborn in position. The life you save is your own.

Louis Brusca

(The writer is director of Care Anesthesiology, co Surgical Intensive Care, Luke's-Roosevelt Hospital, New York City.)



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4611  
Fax: (845) 563-4693

*OFFICE OF THE TOWN CLERK*  
DEBORAH GREEN

December 18, 2001

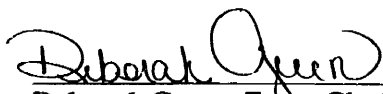
Mr. Verne M. Bell  
116 Stewart Avenue Ext. #54  
Newburgh, NY 12550

Dear Mr. Bell:

I am in receipt of your correspondence dated December 13, 2001 regarding a Legal Notice for Nextel's Wireless Telecommunications Facility, Route 207, New Windsor, New York.

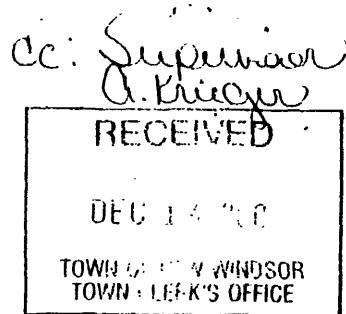
I would suggest that you contact the Attorney for the Planning Board, Andrew Krieger, at (845) 562-2333 to discuss the wording in the Legal Notice,

Very truly yours,

  
Deborah Green, Town Clerk  
Town of New Windsor

Dg

Cc: George J. Meyers, Town Supervisor  
Andrew Krieger, Attorney for the Planning Board ✓



December 13, 2001

Ms. Deborah Green, Town Clerk  
Town Hall  
555 Union Avenue  
New Windsor, NY 12553

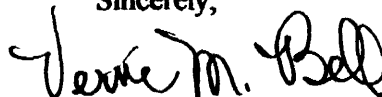
Dear Ms. Green,

I have in front of me the Legal Notice sent out to announce the Public Hearing on July 25, 2001 "on the approval of the proposed site plan of the Nextel's wireless telecommunications facility" located on Rt. 207, New Windsor, etc.

I question the choice of words: *Nextel's wireless telecommunications facility* to describe a *150 foot monopole* with a small facility at its base and would like to find out who is responsible for the wording of the Legal Notice. If you can provide me with this information, I would appreciate it very much.

Thank you.

Sincerely,



W. Verne M. Bell

116 Stewart Avenue Ext. #54  
Newburgh, NY 12550  
845-569 8965

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
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WRITER'S E-MAIL ADDRESS

Email to [acharbonneau@snyderlaw.net](mailto:acharbonneau@snyderlaw.net)

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:

westchester office

June 26, 2001

Hon. Chairman James Petro, Jr.  
and Members of the Planning Board  
555 Union Avenue  
New Windsor, New York 12553

RE: Nextel of New York, Inc. d/b/a Nextel Communications  
Special Permit Application for a  
Wireless Communication Facility at  
Route 207, New Windsor, NY

Dear Hon. Chairman Petro and Members of the Planning Board:

We are the attorneys for Nextel of New York, Inc. d/b/a Nextel Communications ("Nextel"), in connection with Nextel's application to install a telecommunications facility ("Facility") at the above captioned site. The Facility consists of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof, located on an 84 acre property within the OLI zoning district. The Facility will be utilized by Nextel to provide wireless communications to the area.

As per §§48-21(M)(9)(b) and (12)(a) of the Wireless Law, the following Structural Report from Tectonic Engineering, dated June 11, 2001, is hereby submitted to attest to the proposed Facility's design to accommodate future shared use by other telecommunications providers. The Report states "[t]he 150-foot Monopole will ... be designed to support an additional four (4) carriers with twelve (12) panel antennas each." Such shared usage will promote the Town of New Windsor's goal of minimizing the total number of telecommunications towers in the community.




We look forward to discussing this matter with the Board at the June 27, 2001 Planning Board meeting.

If you have any questions, please do not hesitate to call me at (914) 333-0700.

Thank you for your consideration.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
André Charbonneau, Esq.

SMM:akc

Enclosures

cc: Esme Lombard  
Maryanne Martabano  
Dominick Scaramuzzino  
Carlo Saenz  
Tammy Rossie

D:\SSDATA\WPDATA\SS6\NEXTEL\ZONING\New Windsor\2035-pb.let2.wpd

2570 Route 9W  
Cornwall, New York 12518

(845) 534-3450 FAX: (845) 534-3556  
www.tectonicengineering.com

Honorable Chairman  
and Members of the Board  
Town of New Windsor Town Hall  
555 Union Ave  
New Windsor, NY 12553

June 11, 2001

RE: W.O.# 1170.2035  
NEXTEL SITE: NEW WINDSOR CENTRAL  
ROCK TAVERN INDUSTRIAL PARK  
ROUTE 207  
NEW WINDSOR, NY  
STRUCTURAL CAPACITY

Dear Honorable Chairman and Members of the Board:

Communications structures are designed in accordance with the Electronic Industries Association Standard ANSI/TIA/EIA-222-F, "Structural Standard for Steel Antenna Towers and Antenna Supporting Structures." This is an American National Standard. The ANSI/TIA/EIA standard was produced by professional engineers experienced in the design of communication structures, to more thoroughly address all of the design criteria specifically applicable to steel communications structures.

The 150-foot Monopole will be designed to meet the ANSI/TIA/EIA-222-F Standard. The Monopole will also be designed to support an additional four (4) carriers with twelve (12) panel antennas each. Communication poles are safe structures with a long history of reliable operations. This pole will be no more likely to fall than any of the other properly designed structures in the area.

Should you have any questions, please do not hesitate to call.

Sincerely,  
TECTONIC ENGINEERING CONSULTANTS P.C.



Antonio A. Gualtieri, P.E.  
Telecommunications Manager/Senior Structural Engineer



Cc: Snyder & Snyder

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2001

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 1-44

NAME: NEXTEL - NEW WINDSOR - NY 2035

APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/16/2001	PLANS STAMPED	APPROVED
07/25/2001	P.B. APPEARANCE - PUB HEAR . SUBJECT TO HIGHWAY REVIEW AND MARK EDSALL	ND: APPR SUB TO
06/27/2001	P.B. APPEARANCE . ROAD TO BE BUILT AS PRIVATE ROAD - SCHEDULE PUBLIC HEARING	LA:SCHED PH

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2001

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 1-44

NAME: NEXTEL - NEW WINDSOR - NY 2035

APPLICANT: NEXTEL OF NEW YORK, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/18/2001	EAF SUBMITTED	06/18/2001	WITH APPLIC
ORIG	06/18/2001	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	06/18/2001	LEAD AGENCY DECLARED	06/27/2001	TOOK L A
ORIG	06/18/2001	DECLARATION (POS/NEG)	07/25/2001	DEC. NEG DEC
ORIG	06/18/2001	SCHEDULE PUBLIC HEARING . SPECIAL PERMIT - PUBLIC HEARING MANDATORY - 500' LIST	06/27/2001	SCHED PH
ORIG	06/18/2001	PUBLIC HEARING HELD	07/25/2001	HELD PUB HEAR
ORIG	06/18/2001	WAIVE PUBLIC HEARING	/ /	
ORIG	06/18/2001	AGRICULTURAL NOTICES	/ /	
ORIG	06/18/2001	BUILDING DEPT REFER NUMBER	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2001

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**APPROVAL**

FOR PROJECT NUMBER: 1-44

NAME: NEXTEL - NEW WINDSOR - NY 2035

APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/05/2001	SITE PLAN APPROVAL FEE	CHG	100.00		
11/05/2001	REC. CK. #37077	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 1-44

NAME: NEXTEL - NEW WINDSOR - NY 2035

APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/18/2001	REC. CK. #1414	PAID		750.00	
06/27/2001	P.B. ATTY FEE	CHG	35.00		
06/27/2001	P.B. MINUTES	CHG	36.00		
07/25/2001	P.B. ATTY FEE	CHG	35.00		
07/25/2001	P.B. MINUTES	CHG	45.00		
10/31/2001	P.B. ENG. FEE	CHG	348.50		
11/15/2001	RET. TO APPLICANT	CHG	250.50		
		TOTAL:	750.00	750.00	0.00

11/16/01

L.R.



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

□ Main Office  
32 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: rmheny@att.net

□ Regional Office  
507 Broad Street  
Millersburg, Pennsylvania 18337  
(570) 296-2765  
e-mail: rmhepa@ptd.net

**MEMORANDUM**


(via fax)

31 October 2001

**TO: MYRA MASON, PLANNING BOARD SECRETARY**

**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**

**SUBJECT: NEXTEL SITE PLAN  
NWPB APP. NO. 01-44**



I have reviewed the revised plan with your stamp dated Oct 19 2001, with plan (last) revision date 10/5/01

The plan has been corrected and is acceptable in my opinion

The approved plan set included T-1, C-1, C-2, C-3 and S-1. These were the plans reviewed by the Planning Board. These should be stamped approved once fees are paid. Drawings C-4, C-5, E-1, E-2 and E-3 were added to the set after the Planning Board approved the project. *These should not be included, should be removed from the set, and should not be stamped approved as they were not part of the Board's review.*

I have reviewed the cost estimate and it included many items not appropriate for the site bond. I have revised the estimate (as attached). The corrected value is \$34,400.

A printout of our time is attached hereto.

Call if you have any further questions.

@ 2%  
688.00

AS OF 11/01/2001

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 1 44

FOR WORK DONE PRIOR TO: 11/01/2001

TASK-NO	REV	DATE	PLAN	EMPL	ACT DESCRIPTION	RATE	HRS	TIME	DOLLARS		
									EXP.	BILLED	BALANCE
1 44	182618	05/16/01	TIME	MIL	MS NEXTEL	85.00	0.40	34.00			
1 44	182657	06/25/01	TIME	MJE	MC NEXTEL S/P	85.00	0.70	59.50			
								93.50			
1 44	183243	06/30/01			BILL 1 /23 1/26/01					-93.50	
										-93.50	
1 44	183202	07/25/01	TIME	MJE	MM Nextel Cond Appl	85.00	0.10	8.50			
1 44	183275	07/25/01	TIME	MJE	MC NEXTEL	85.00	0.70	59.50			
								68.00			
1 44	190330	08/27/01			BILL 01 /92					68.00	
										-68.00	
1 44	190877	09/10/01	TIME	MJE	MC NEXTEL W/KROLL	85.00	0.20	17.00			
1 44	190861	09/19/01	TIME	MJE	MC TC/TECTONIC NEXTEL	85.00	0.30	25.50			
1 44	190274	09/20/01	TIME	RJE	MC NEXTEL TC/TECTONIC	85.00	0.50	42.50			
1 44	190108	10/17/01	TIME	MJE	MC NEXTEL START CLOSEOUT	85.00	0.30	25.50			
1 44	200002	10/31/01	TIME	MJE	MC Start Closeout	85.00	0.40	34.00			
								144.50			
1 44	200015	10/25/01			BILL 01 984					110.50	
										110.50	
1 44	200892	11/01/01	TIME	MJE	MC Closeout	85.00	0.50	42.50			
					TASK TOTAL			348.50	0.00	-272.00	76.50
					GRAND TOTAL			348.50	0.00	-272.00	76.50



**PREVIOUS  
DOCUMENT  
IN POOR  
ORIGINAL  
CONDITION**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

November 13, 2001

Snyder & Snyder, LLP  
730 Fifth Avenue – Ninth Floor  
New York, NY 10019-4105

ATTENTION: ANDRÉ CHARBONNEAU, ESQ.

SUBJECT: NEXTEL COMMUNICATIONS SITE PLAN AND SPECIAL PERMIT  
TOWN OF NEW WINDSOR PLANNING BOARD #01-44

Dear Andre':

As per your request, please find attached your portion of the minutes from the regular Planning Board meeting of July 25<sup>th</sup>, 2001.

As reflected in the attached minutes, the above subject project was approved "conditionally" at this meeting.

If you have any further questions, please contact my office.

Very truly yours,

Myra Mason, Secretary  
TOWN OF NEW WINDSOR PLANNING BOARD

PUBLIC HEARING:

NEXTEL SITE PLAN AND SPECIAL PERMIT (01-44)

Andrew Charbonneau, Esq. and Ms. Tammy Rossi appeared before the board for this proposal.

MR. PETRO: This application involves a leased parcel and construction of 150 plus or minus foot high monopole wireless communications tower on the site. This plan was previously reviewed at the 27 June, 2001 planning board meeting. It's here tonight for a public hearing.

MR. CHARBONNEAU: Honorable Chairman, members of the planning board, first of all, I'd like to offer our sincere apology for being a bit late, we had some coordination problems. Thank you for taking us regardless. Good evening, just to give a previous overview of the site, I'm Andrew Charbonneau here with Schneider & Schneider representing our client, Nextel Communications. I'm coming before the board for an application for site plan review and special use permit. This is for wireless telecommunications facility which is located or proposed to be located right off Route 207 with access off Toleman Road. It would be located on an 84 acre piece of property which is the Rock Tavern Industrial Park and that's in the OLI or Office and Light Industry District, which is per the town zoning ordinance a permitted area for communication facilities. As far as the engineering aspects of the site, I have our engineer, Tammy Rossi from Tectonic, come up and explain to the board.

MR. PETRO: Tammy, we had a number of items last time we were here, I see by correspondence July 12, 2001 that they have all been attended to which would be the relocation of the entire facility in order to provide 75 foot restricted zone around the proposed monopole that was the question by the board, correction of the location map, I remember that was wrong on the actual location map somehow, this is the Town of New Windsor, inclusion of three inch bituminous surface and the asphalt apron for the compliance and I see that's done.

MS. ROSSI: Yes.

MR. PETRO: I interrupted you, you were going to--

MS. ROSSI: Would you like me to give an overview?

MR. PETRO: Yeah, sure, it's a public hearing.

MS. ROSSI: As Andrew stated, the access to the facility is off Toleman Road and it's located almost center of the property about 600 and, over 650 feet from Route 207 and over 1,000 feet from Toleman Road. I have relocated the facility so that I incorporated the proposed fall zone without taking out any trees and I tucked it back away behind the existing rock wall so the tree line would, that you see out there now will remain and the facility itself will be behind that. In addition, we have proposed 9 six foot arborvitae shrubs, seven of which are in the front of the facility and two I have tucked two in the Toleman side of the property to help integrate into the existing trees that are there. We have a 6 foot chain link fence that surrounds the entire facility which is 60 foot square. And we have a 12 x 20 unmanned equipment shelter down here in the corner. The shelter is unmanned, it's fully secured and monitored 24 hours a day, 365 days a week for fire or if a unit breaks down or anything, it's sends a signal to White Plains and someone is sent out immediately. It's visited about once a month, just a normal truck would come out to the site and a person would go in and monitor, check all the equipment, see how it's running, the monopole itself.

MR. CHAROBONNEAU: There's green lattice work that would be incorporated into the fence as well to get additional screening as well as the proposed evergreen trees to see into the compound so--

MS. ROSSI: The monopole is 150 feet, we have 12 antennas with 148 foot center line, the antennas themselves are four feet tall by only six inches wide, they're light gray in color and will pretty much match the monopole. That's pretty much everything in a nutshell. If you have any questions, I'd be more than happy to answer them for you.

MR. PETRO: What I'd like to do is open it up to the public and then we'll come back to the board. I know there's one gentleman here. On July 13, 2001, 60 addressed envelopes containing the attached notice of public hearing were mailed. At this time, if someone is here, would like to speak on behalf of this applicant, please be recognized by the Chair, state your name and address.

MR. PELOSO: My name is Keith Peloso, I live over on Beach Acres, which is on the back side of this, it's a private road off of Station Road and I was just curious not knowing exactly where they were planning on putting this in. Now I find out it's--

MR. PETRO: A thousand feet off Toleman Road.

MR. PELOSO: Which puts it up closer to my back yard, not that I'm one of these not in my back yard type people, but I have seen towers that have been constructed that are pleasing to the eye and yet I have seen other ones that are atrocious. I don't know if you're on Route 17 in New Jersey, it looks like a huge pine tree, you can drive by for months and months and one day, it's like that's a cellular tower, it catches you off guard. Is there anything being done with this that can help it blend more into the atmosphere of area up here?

MS. ROSSI: I think if you had this look like a tree, it would stick out like a sore thumb because of the existing vegetation around it, it would not be anywhere near 150 feet. Obviously, it works better with shorter monopoles, this monopole is going to be slim lined, I don't know if you're familiar with the step monopoles, they have flanges that bolt together, so they look a like bulkier, this is not, it's a slip joint and it's very slim lined, it's light gray galvanized, it's not shiny steel poles that you see along some types, along 87.

MR. PETRO: This is just one single pole, this is not a tower.

MS. ROSSI: It's not a tower, one single pole.

MR. LANDER: What's the diameter of the pole?

MS. ROSSI: The base will be approximately 4 feet in diameter, maybe skinnier, it all depends on the soil boring results, to tell you the truth, and it goes up to about a foot, to about a foot, it's very slim.

MR. PETRO: Anything else?

MR. LANDER: What type of trees are there now, what size are they?

MS. ROSSI: Well, in the front, it's clear in front of the facility, we're just behind the brush line.

MR. CHAROBONNEAU: As you can see, the nine existing trees, currently these are the larger trees that are directly around the facility and then there's the nine proposed evergreen trees, smaller trees six feet in height.

MR. LANDER: So this pole might be twice the size of those?

MS. ROSSI: Oh, yeah, definitely and there's more vegetation around here but obviously of the scale you're not going to see that. This whole back area over here has an existing tree line now.

MR. LANDER: From where this gentleman lives.

MS. ROSSI: Can you tell me where you live?

MR. PELOSO: Beach Acres Drive, it's a private road that comes in off Station Road.

MS. ROSSI: Do you want to show me on here? It's about 1,200 feet to the back property line.

MR. PELOSO: Now there's another tower up across the road up here on Toleman Road?

MS. ROSSI: Correct, it's right here.

MR. PELOSO: How high is that tower?

MS. ROSSI: Approximately, 200 feet.

MR. PELOSO: And you're 150?

MS. ROSSI: Yes.

MR. PELOSO: So, in the winter, I can see both. Summertime I can't see the other thing.

MS. ROSSI: Did you see the balloon that was, we did a crane test, actually had a balloon up there and took photos?

MR. CHAROBONNEAU: It's in the renditions.

MS. ROSSI: It was right in the exact spot, it was a couple months ago.

MR. PELOSO: If there's leaves on the trees, I wouldn't see it.

MR. LANDER: So you have a seasonal view?

MR. PELOSO: Yes.

MR. PETRO: Is there anyone else who would like to speak on behalf of this application?

MR. CLARK: I'm Lester Clark, I'm the owner of the property. I neglected to bring a letter which I will get to the secretary of the planning board tomorrow from the nearest abutting neighbor on Toleman Road, that's the contemporary house, the first one on the left, William Ike (phonetic), indicating that in his particular case, he has no objection to the tower. I'll get it for your record tomorrow.

MR. PETRO: Thank you. Anybody else? Motion to close the public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing to the Nextel site plan and special permit on Toleman Road and 207. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: I'll open it back up to the board for any discussion or questions you may have for the applicant. I think I've seen enough.

MR. ARGENIO: Mark, item 3B?

MR. EDSALL: Yeah.

MR. ARGENIO: Access drive would be upgraded to meet private road standards?

MR. EDSALL: I did not recall the final decision of the board.

MR. ARGENIO: They are not building a private road.

MR. EDSALL: No, the only concern that the fire inspector's office had in the past was that if they needed to get in any emergency equipment, the minimum road that they care to drive fire vehicles on is the structure of a private road, which is the 12 inches of item. I wasn't sure what the board had determined at their last meeting but I still had that as an open item.

MR. ARGENIO: Is that your intent?

MS. ROSSI: No, to tell you the truth, I tried to get ahold of the town engineer and it just wasn't, I didn't have enough time to resolve it so I'm more than happy to take care of that. I wanted some clarification



myself.

MR. EDSALL: I was away, so it's my fault.

MR. PETRO: So what you're saying we have three inches now?

MR. EDSALL: Well, I'm looking more at the gravel access drive and they've got--

MR. LANDER: Three inches is for the entrance drive but they also have--

MR. EDSALL: They've got eight inches of crushed stone, what the private road is basically 12 inches of a bulk, heavier shale than just an item 4 shale.

MR. LANDER: So we really don't need the crushed stone.

MR. EDSALL: We'd want item.

MR. PETRO: We have fire approval on June 19, 2001.

MR. LANDER: I'd rather see just a gravel road.

MR. EDSALL: I don't even know that it's necessary to put oil and chip on, that's really intended to cut down on the dust generation. If you only have somebody going in there once a month, we don't need that, it's more the structure, so they don't sink a truck into the ground.

MR. LANDER: Is that going to be 18 feet wide?

MR. EDSALL: It can even be narrower.

MS. ROSSI: I have 12.

MR. EDSALL: I think 12, I'll coordinate with Tammy and Bob Rogers.

MS. ROSSI: I'll take care of that with Mark.

MR. ARGENIO: So you have to clean up the spec and the detail for the private road.

MS. ROSSI: Exactly, I'll submit that with the final plans.

MR. PETRO: Why are you not going to DOT, explain one more time?

MR. EDSALL: It comes out to Toleman.

MR. LANDER: I know the secretary's new but--

MR. PETRO: Did you submit anything to the town highway department?

MR. CHAROBONNEAU: For the access road? I'm unsure of the question.

MR. PETRO: Access road.

MR. CHAROBONNEAU: I don't believe anything has been submitted to DOT for that.

MR. PETRO: Treating it as a driveway?

MR. EDSALL: That's what it would be.

MR. ARGENIO: I said the town highway department.

MR. CHAROBONNEAU: I'm sorry, the town highway department.

MR. PETRO: It's going to have to go over to Henry and he's going to look at it.

MS. ROSSI: I can do that.

MR. PETRO: We'll do a subject to, we'll do an approval subject to his approval because I don't see any, looks like you're coming out with great sight distance where you are.

MR. BABCOCK: The most comments that he would have that he might need a culvert.

MS. ROSSI: That's fine, I'll meet with him.

MR. PETRO: You have to adhere whatever he comes up with on his approval.

MS. ROSSI: Sure.

MR. PETRO: So what's the subject to, Mark, about the driveway?

MR. EDSALL: It would be modifying the access drive to a structure equivalent to a private road and final details will coordinate with the fire inspector.

MR. PETRO: Plus going to highway.

MR. EDSALL: And the application would go to highway for the cut onto Toleman.

MR. PETRO: Is that a motion?

MR. ARGENIO: Make a motion for final approval for Nextel New York State plan subject to what the Chairman just read into the minutes.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to Nextel New York for the tower on Route 207 and Toleman Road with the two subject-to's we just wrote in. And you understand the subject-to's, correct?

MS. ROSSI: Yes.

MR. PETRO: Any further discussion from the board members?

MR. EDSALL: Did you close SEQRA?

MR. PETRO: I didn't do it, let's just table that motion and go to, I need a motion for negative dec.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative decision under the SEQRA process for the Nextel New York communications tower on 207 and Toleman Road. Is there any further discussion? If not, roll call.

ROLL CALL

MR. LANDER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: I'll reopen the last motion. Is there any further discussion from the board members for final approval with the two subject-to's? Hearing none, I'll do a roll call.

ROLL CALL

MR. LANDER	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

WESTCHESTER OFFICE  
94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

DAVID L. SNYDER\*  
LESLIE J. SNYDER  
ROBERT D. GAUDIOSO

\*ADMITTED NY, NJ AND DC

(212) 749-1448  
FAX (212) 932-2693

WRITER'S E-MAIL ADDRESS

Email to [acharbonneau@snyderlaw.net](mailto:acharbonneau@snyderlaw.net)

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:

westchester office

July 12, 2001

Hon. Chairman James Petro, Jr.  
and Members of the Planning Board  
555 Union Avenue  
New Windsor, New York 12553

RE: Nextel of New York, Inc. d/b/a Nextel Communications  
Special Permit Application for a  
Wireless Communication Facility at  
Route 207, New Windsor, NY

Dear Hon. Chairman Petro and Members of the Planning Board:

We are the attorneys for Nextel of New York, Inc. d/b/a Nextel Communications ("Nextel"), in connection with Nextel's application to install a telecommunications facility ("Facility") at the above captioned site. As you may recall, the Facility consists of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof, located on an 84 acre property within the OLI zoning district.

In response to the comments of the Planning Board at the June 27, 2001 Planning Board meeting, and the Review Memorandum by the Planning Board Engineer, Mark J. Edsall, P.E., P.P., dated June 27, 2001, we respectfully submit the following additional documents for filing:

- 1) Revised signed and sealed Site Plan prepared by Tectonic Engineering Consultants, P.C., last revised July 7, 2001, which now includes:
  - i. the relocation and reorientation of the entire Facility in order to provide a seventy-five (75') foot restricted zone around the proposed monopole,
  - ii. correction of the location map; and

Hon. Chairman Petro and Members of the Planning Board

July 12, 2001

Page 2


- iii. inclusion of the three (3") inch bituminous surface on the asphalt apron for full compliance with the New Windsor driveway construction specifications.
- 2) A design criteria and failure mode letter for the proposed monopole from Tectonic Engineering Consultants, P.C., dated July 12, 2001, certifying that in the highly unlikely event of monopole failure, the monopole is designed to remain well within the requested seventy-five (75') foot restricted zone.

We look forward to discussing this matter with the Board at the July 25, 2001 Planning Board public meeting.

If you have any questions, please do not hesitate to call me at (914) 333-0700.

Thank you for your consideration.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
André Charbonneau, Esq.

Enclosures

cc: Esme Lombard  
Maryanne Martabano  
Dominick Scaramuzzino  
Carlo Saenz  
Tammy Rossie

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/05/2001

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LISTING OF PLANNING BOARD **FEES**  
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APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/05/2001	SITE PLAN APPROVAL FEE	CHG	100.00		
		TOTAL:	100.00	0.00	100.00

*check #1*

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/05/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 1-44

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APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/05/2001	2% OF COST EST. \$34,400.0	CHG	688.00		
		TOTAL:	688.00	0.00	688.00

check #2



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/05/2001

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LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 1-44

NAME: NEXTEL - NEW WINDSOR - NY 2035  
APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/18/2001	REC. CK. #1414	PAID		750.00	
06/27/2001	P.B. ATTY FEE	CHG	35.00		
06/27/2001	P.B. MINUTES	CHG	36.00		
07/25/2001	P.B. ATTY FEE	CHG	35.00		
07/25/2001	P.B. MINUTES	CHG	45.00		
10/31/2001	P.B. ENG. FEE	CHG	348.50		
		TOTAL:	499.50	750.00	-250.50

*To be  
Returned  
To Applicant.*

**Preliminary Cost Estimate**

Schedule of Values ( Lump Sum ) for the Antenna Installation

Site Name: Rock Tavern Industrial Park  
 Site #: NY-2038

Lump Sum Price ( All labor, supervision, material, equipment and transportation necessary and incidental to the completion of the work reflected below )

Activity	Amount
Mobilization	\$ 2,800
Assembly & installation of Antenna Mounts	\$ <del>40,000</del>
Grounding (inc & XIT rods)	\$ <del>40,000</del>
3-carrier Monopole	\$ <del>40,000</del>
Monopole Foundation	\$ <del>40,000</del>
Ice Bridges	\$ <del>200</del>
Equipment Foundations	\$ <del>4,000</del>
Shelter Off Load / Bolting	\$ <del>4,000</del>
Monopole Crane	\$ <del>40,000</del>
Stone Resurfacing/grading	\$ 3,000
Bollards	\$ 800
Fencing	\$ 6,000
Electrical Service	\$ <del>10,000</del>
Teleco Service	\$ <del>10,000</del>
Ground testing	\$ <del>40,000</del>
Site Cleanup	\$ 3,000
LUMP SUM TOTAL	\$ <del>257,200</del>

**Access Road**

18,000

Drainage Pipe &amp; Catchment

1,000

**# 34,400**

2570 Route 9W  
Cornwall, New York 12518

(845) 534-3450 FAX: (845) 534-3556  
www.tectonicengineering.com

Honorable Chairman James Petro, Jr.  
Members of the Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553

July 12, 2001

**RE: W.O.# 1170.2035  
NEXTEL SITE: NEW WINDSOR CENTRAL  
ROUTE 207  
NEW WINDSOR, NY**

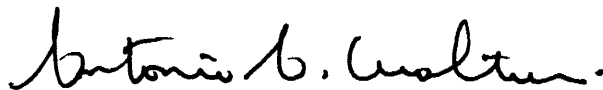
Dear Honorable Chair and Members of the Planning Board:

Communications structures are designed in accordance with the Electronic Industries Association Standard EIA-222-F, "Structural Standard for Steel Antenna Towers and Antenna Supporting Structures." This is a nationally recognized standard. The EIA standard was produced by professional engineers experienced in the design of communication structures, to more thoroughly address all of the design criteria specifically applicable to steel communications structures.

The 150-foot Monopole will be designed to meet the EIA-222-F Standard with a theoretical hinge point at approximately the 75-ft mark. Communication poles are safe structures with a long history of reliable operations. This pole will be no more likely to fall than any of the other properly designed structures in the area.

Should you have any questions, please do not hesitate to call.

Sincerely,  
TECTONIC ENGINEERING CONSULTANTS P.C.



Antonio A. Gualtieri, P.E.  
Telecommunication Manager/Senior Structural Engineer

Cc: Snyder & Snyder  
1170-2035structural letter.doc





**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**I Main Office**  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@att.net

**II Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhpa@pjd.net

**DRAFT  
MEMORANDUM**

(via fax)

31 October 2001

**TO: MYRA MASON, PLANNING BOARD SECRETARY**

**FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER**

**SUBJECT: NEXTEL SITE PLAN  
NWPB APP. NO. 01-44**

I have reviewed the revised plan with your stamp dated Oct 19 2001, with plan (last) revision date 10/5/01.

The plan has been corrected and is acceptable in my opinion.

The approved plan set included T-1, C-1, C-2, C-3 and S-1. These were the plans reviewed by the Planning Board. These should be stamped approved once fees are paid. Drawings C-4, C-5, E-1, E-2 and E-3 were added to the set after the Planning Board approved the project. *These should not be included, should be removed from the set, and should not be stamped approved as they were not part of the Board's review.*

**MYRA, I DO NOT HAVE THE COST ESTIMATE - PLEASE  
FORWARD OVER SO I CAN REVIEW AN FINALIZE THIS  
MEMO**

A printout of our time is attached hereto.

Call if you have any further questions.

NW01-48-Closeout-103101.doc  
MJE/M

*Sent 10/31/01*

***Preliminary Cost Estimate***

Schedule of Values ( Lump Sum ) for the Antenna Installation

Site Name: Rock Tavern Industrial Park

Site #: NY-2035

***Lump Sum Price ( All labor, supervision, material, equipment and transportation necessary and incidental to the completion of the work reflected below.)***

Activity	Amount
Mobilization	<u>\$ 2,800</u>
Assembly & Installation of Antenna Mounts	<u>\$ 7,000</u>
Grounding (inc 4- XIT rods)	<u>\$ 15,000</u>
5-carrier Monopole	<u>\$ 55,000</u>
Monopole Foundation	<u>\$ 40,000</u>
Ice Bridges	<u>\$ 300</u>
Equipment Foundations	<u>\$ 8,000</u>
Shelter Off Load / Setting	<u>\$ 1,000</u>
Monopole Crane	<u>\$ 4,500</u>
Stone Resurfacing/grading	<u>\$ 3,000</u>
Bollards	<u>\$ 800</u>
Fencing	<u>\$ 6,000</u>
Electrical Service	<u>\$ 10,000</u>
Telco Service	<u>\$ 10,000</u>
Ground testing	<u>\$ 1,000</u>
Site Cleanup	<u>\$ 3,000</u>
<b>LUMP SUM TOTAL</b>	<u><b>\$ 167,200</b></u>



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
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Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mheda@ptd.net

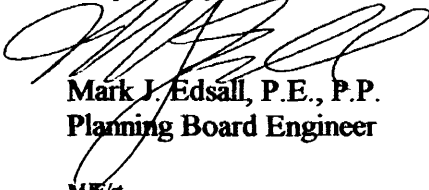
**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** NEXTEL OF N.Y. SITE PLAN  
(TOLEMAN RD. SITE)  
**PROJECT LOCATION:** TOLEMAN RD. AND NYS RT. 207  
SECTION 29 – BLOCK 1 – LOT 26.11  
**PROJECT NUMBER:** 01-44  
**DATE:** 27 JUNE 2001  
**DESCRIPTION:** THE APPLICATION INVOLVES A LEASE PARCEL AND THE  
CONSTRUCTION OF A 150 +/- FT. HIGH MONOPOLE WIRELESS  
COMMUNICATIONS TOWER ON THE SITE. THE PLAN WAS  
REVIEWED ON A CONCEPT BASIS ONLY.

1. The application is subject to Section 48-21M of the Zoning Code, which identifies Telecommunications Towers as a Special Permit Use. The use is permitted in the OLI Zone. This application is for a new tower, not a co-location.
2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
3. The Planning Board should consider authorizing the mandatory Public Hearing for this Site Plan and Special Permit use, per the requirements of Paragraph 48-35A of the Town Zoning Local Law.
4. The applicant has submitted supporting information for the application in compliance with various sub-sections of 48-21M, including Section 48-21M (5) and (8). This information is currently in review by our office. The information should also be reviewed by the Board members, for consideration at the Public Hearing meeting.
5. I have reviewed the initial plan submitted and have the following comments at this time:
  - a. The applicant should verify that parcel 29-1-26.11 includes the small strip out to Toleman Road. Please verify that the width of this strip is a uniform 50 ft.

- b. The applicant should verify that the easement conditions for the "buried cable easement" has no restrictions for the construction of the proposed access drive.
- c. The plan notes a 50' x 50' lease area, interior to the property. It is my opinion that this is inappropriately small since other areas of the property are effected by the tower installation. An access easement is also required. Utilities are provided, but no easements are shown. Restricted space surrounding the tower would be required relative to clearances for tower ice-fall or debris and tower failure (as referenced in the code). Additional restricted areas, and access or other easements, must be indicated on the plan.
- d. The Board should discuss the gravel access drive. Usually, the Board requires that all such drives are constructed to Private Road Standards, at minimum.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/sk

NW01-44-27Jun01.doc

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 11/16/2001

PAGE: 1

LISTING OF PLANNING BOARD FEES  
4% FEE

FOR PROJECT NUMBER: 1-44  
NAME: NEXTEL - NEW WINDSOR - NY 2035  
APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/05/2001	2% OF COST EST. \$34,400.0	CHG	688.00		
11/05/2001	REC. CK. #37076	PAID		688.00	
		TOTAL:	688.00	688.00	0.00

*A. Zappardo*





**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY & NJ)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

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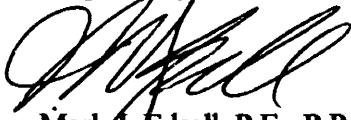
**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** NEXTEL OF N.Y. SITE PLAN  
(TOLEMAN RD. SITE)  
**PROJECT LOCATION:** TOLEMAN RD. AND NYS RT. 207  
SECTION 29 – BLOCK 1 – LOT 26.11  
**PROJECT NUMBER:** 01-44  
**DATE:** 25 JULY 2001  
**DESCRIPTION:** THE APPLICATION INVOLVES A LEASE PARCEL AND THE  
CONSTRUCTION OF A 150 +/- FT. HIGH MONOPOLE WIRELESS  
COMMUNICATIONS TOWER ON THE SITE. THE PLAN WAS  
PREVIOUSLY REVIEWED AT THE 27 JUNE 2001 PLANNING  
BOARD MEETING. THE APPLICATION IS BEFORE THE BOARD  
FOR A PUBLIC HEARING AT THIS MEETING.

1. The application is subject to Section 48-21M of the Zoning Code, which identifies Telecommunications Towers as a Special Permit Use. The use is permitted in the OLI Zone. This application is for a new tower, not a co-location.
2. The Planning Board assumed the position of Lead Agency at the June meeting. The Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
3. I have reviewed the revised plan submitted for this meeting, and have the following comments at this time:
  - a. The plan notes a 60' x 60' lease area, interior to the property. As well, the plan now notes that there is a 150 ft. diameter zone restricted from development (other than what is approved as part of this application). Appropriate documentation (copy of lease) should be submitted to the Planning Board attorney to verify this restriction is adequately memorialized.

- b. It was my understanding that the access drive would be upgraded to meet Private Road Standards, at minimum. This revision is not included on these new plans.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW01-44-25Jul01.doc



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

**01-44**

DATE PLAN RECEIVED:

RECEIVED

JUL 23 7001

RECEIVED

JUL 30 2001

N.W. HIGHWAY DEPT.

Please return  
A.S.A.P.

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

\_\_\_\_\_ has been

reviewed by me and is approved \_\_\_\_\_

disapproved \_\_\_\_\_

If disapproved, please list reason \_\_\_\_\_

18 inch culvert Pipe required

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Dan Kull 9/10/01  
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

WESTCHESTER OFFICE  
94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

(212) 749-1448  
FAX (212) 932-2693

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

WRITER'S E-MAIL ADDRESS

DAVID L. SNYDER\*  
LESLIE J. SNYDER  
ROBERT D. GAUDIOSO

Email to [acharbonneau@snyderlaw.net](mailto:acharbonneau@snyderlaw.net)

REPLY TO:

\*ADMITTED NY, NJ AND DC

westchester office

July 3, 2001

Philip A. Crotty, Esq.  
Attorney for the Town of New Windsor  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12553

RE: Nextel of New York, Inc. d/b/a Nextel Communications  
Special Permit Application for a  
Wireless Communication Facility at  
Route 207, New Windsor, NY  
SBL: 29 - 1 - 26.11

Dear Mr. Crotty:

I am replying to your response regarding our June 4, 2001 notification letters to surrounding municipalities (including the Town of Newburgh), which we sent as mandated by the Telecommunications Towers section of the Town of New Windsor Zoning Code. Of course all due deference is given to the Town of New Windsor Planning Board, from which we seek special use permit and site plan approval for the above referenced Facility.

As you correctly point out, the first sentence of the second paragraph should more clearly state the 'proposed' nature of the Facility. There was no intention here to represent the tower as a 'certainty', and the first paragraph of the letter does state we are "filing an application for a wireless telecommunications facility ("Facility") with the Town of New Windsor."

We apologize for any misunderstanding. We appeared before the Planning Board on June 27, 2001, and look forward to further discussing this application at a Planning Board public meeting in the near future.

If you have any questions, please do not hesitate to call me at (914) 333-0700. Please send all written correspondence regarding this application to our Westchester, New York office.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By: 

André Charbonneau, Esq.

cc: James R. Petro, Chairman P.B. ✓



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4630  
Fax: (845) 563-4692

## Attorney for the Town

June 19, 2001

Seth M. Mandelbaum, Esq.  
Snyder & Snyder, LLC  
730 Fifth Avenue, Ninth Floor  
New York, N. Y. 10019-4105

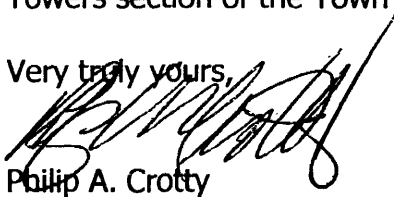
**Re: Application to Town of New Windsor by Nextel of New York, Inc.  
d/b/a Nextel Communications to install a wireless telecommunications  
facility at the Rock Tavern Industrial Park, Route 207, New Windsor, NY**

Dear Mr. Mandelbaum:

I am replying to your letter dated June 4, 2001 to the Town Board of the Town of Newburgh, with a copy to the Town of New Windsor Planning Board. You should be advised that further communication should be directed to the Town of New Windsor, or the Town of New Windsor Planning Board at this address. This Town is a distinct municipality from the Town of Newburgh.

You need to know that the information contained in the first sentence of the second paragraph of your letter will be subject to careful review by the Town of New Windsor Planning Board. In that regard I am forwarding you a copy of our Telecommunications Towers section of the Town of New Windsor Zoning Code.

Very truly yours,



Philip A. Crotty  
Attorney for the Town of New Windsor  
Pac/pac

Enclosure

cc: George J. Meyers, Supervisor  
Richard D. McGoey, P. E.  
Robert F. Rodgers, F.I.  
Michael Babcock, B. I.  
John McDonald, C.I.T.  
James R. Petro, Chairman P. B.  
Mark J. Edsall, P. E.

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

(212) 749-1448

FAX (212) 932-2693

WRITER'S E-MAIL ADDRESS  
**smandelbaum@snyderlaw.net**

WESTCHESTER OFFICE  
94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

DAVID L. SNYDER\*  
LESLIE J. SNYDER

\*ADMITTED NY, NJ AND DC

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:  
Westchester office

June 4, 2001

Town Board  
Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

Re: Application to Town of New Windsor  
by Nextel of New York, Inc. d/b/a Nextel Communications  
to install a wireless telecommunications facility  
at the Rock Tavern Industrial Park, Route 207, New Windsor, NY


Dear Honorable Members of the Board:

Pursuant to the requirements of the Town of New Windsor's Zoning Code regarding telecommunications towers, I am writing to inform this body that Nextel of New York, Inc. d/b/a Nextel Communications is filing an application for a wireless telecommunications facility ("Facility") with the Town of New Windsor.

Please note that the Facility will be located at the Rock Tavern Industrial Park, Route 207, New Windsor, New York, and will consist of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof. The Facility will be designed to support the antennas of four (4) additional federally licensed wireless carriers, in order to minimize the overall number of towers in the Town of New Windsor and the surrounding area.

If you should have any questions, please do not hesitate to contact my office.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
Seth M. Mandelbaum, Esq.

SMM:srw

cc: Town of New Windsor Planning Board  
Esme Lombard/Maryanne Martabano

PLANNING BOARD : TOWN OF NEW WINDSOR  
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Site Plan/~~Subdivision~~ of

Nestel

Applicant.

AFFIDAVIT OF  
SERVICE  
BY MAIL

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 350 Bethlehem Road, New Windsor, NY 12553.

On July 13, 2001, I compared the 60 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason  
Myra L. Mason, Secretary for  
the Planning Board

Sworn to before me this

13<sup>th</sup> day of July, 192001

Notary Public

**JENNIFER MEAD**  
**Notary Public, State Of New York**  
**No. 01ME8050024**  
**Qualified in Orange County**  
**Commission Expires 10/30/2002**



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

July 10, 2001

Snyder & Snyder  
730 Fifth Avenue, Ninth Floor  
New York, NY 10019-4105

Re: 29-1-26.11

Dear Sirs:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook  
Sole Assessor

LC/lrd  
Attachments

CC: Myra Mason, PB

*60 Notices*



29-1-5.2

NYS Department of Transportation  
C/o Pay Snyder  
Passenger Trans. Div. Bldg. 4 Room 446  
1220 Washington Avenue  
Albany, NY 12232 ✓

29-1-20.11

Kevin & Amy Lynn Goggin  
553 Station Road  
Rock Tavern, NY 12575 ✓

29-1-20.12

Thaddeus & Joanne McCourt  
559 Station Road  
Rock Tavern, NY 12575 ✓

29-1-20.13

Stephen & Mary Ellen Carolan  
565 Station Road  
Rock Tavern, NY 12575 ✓

29-1-20.14

Mark & Marcel Milstein  
571 Station Road  
Rock Tavern, NY 12575 ✓

29-1-20.2

Charles, Sara Belle & William McCracken  
Cynthia Leghorn  
601 Station Road  
Rock Tavern, NY 12575 ✓

29-1-20.31

Roy Galewski  
4 Denniston Lane  
Rock Tavern, NY 12575 ✓

29-1-20.32

Daniel & Kathleen Kelly  
625 Station Road  
Rock Tavern, NY 12575 ✓

29-1-21.1

Lorenzo Jr. & Jo Ann Santiago  
3 Kale Lane  
Rock Tavern, NY 12575 ✓

29-1-21.2

Steven & Teresa Margolis  
4 Kale Lane  
Rock Tavern, NY 12575 ✓

29-1-27.1

David & Mildred Perez  
539 Toleman Road  
Rock Tavern, NY 12575 ✓

29-1-27.2

Jay & Diane Oldham  
551 Toleman Road  
Rock Tavern, NY 12575 ✓

29-1-27.3

George & Iga Gottlieb  
561 Toleman Road  
Rock Tavern, NY 12575 ✓

29-1-27.41

Raymond Czumak  
1533 Little Britain Road  
Rock Tavern, NY 12575 ✓

29-1-27.42

Raymond Czumak  
18 Schofield Lane  
Cornwall, NY 12518 ✓

29-1-27.51

Advance Broadcasting Corp.  
C/o Sunrise Broadcasting of NY Inc.  
P.O. Box 2307  
Newburgh, NY 12550 ✓

29-1-28.1

Unitarian Society of Orange County  
9 Vance Drive  
Rock Tavern, NY 12575 ✓

29-1-51

Clement & Gwen Villa  
521 Station Road  
Rock Tavern, NY 12575 ✓

29-1-52

Edward & Anne McKallen  
525 Station Road  
Rock Tavern, NY 12575 ✓

29-1-53.21

Vince & Linda McAdon  
8 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-53.22

James Jr. & Joanne Cacioppo  
10 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-53.23

Nancy Tienken  
12 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-54

Kenneth & Hannah Chilson  
12829 E Oregon Drive  
Aurora, CO 80012 ✓

29-1-55

Robert Folkl  
539 Station Road  
Rock Tavern, NY 12575 ✓

29-1-56

Barry & Beverly Johnson  
545 Station Road  
Rock Tavern, NY 12575 ✓

29-1-57

James & Susan Quinn  
6 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-58

Manuel Jr. & Theresa Heredia  
4 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-59

Keith & Pamela Peloso  
1 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-60

Stephen & Maureen Hall  
3 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-61

John & Christine Gozza  
5 Beech Acres Drive  
Rock Tavern, NY 12575 ✓

29-1-62  
William & Phyllis Eich  
538 Toleman Road  
Rock Tavern, NY 12575 ✓

29-1-63  
Ronald & Deborah Eaton  
530 Toleman Road  
Rock Tavern, NY 12575 ✓

29-1-69.1  
Lloyd Harmon  
577 Station Road  
Rock Tavern, NY 12575 ✓

29-1-69.2  
Charles & Janet Churik  
P.O. Box 220  
Rock Tavern, NY 12575 ✓

29-1-69.3  
Gregory DeAngelis  
589 Station Road  
Rock Tavern, NY 12575 ✓

29-1-70  
James & Kathleen Manera  
4 Abby Lane  
Rock Tavern, NY 12575 ✓

29-1-71  
Raymond & Carole Cutro  
6 Abby Lane  
Rock Tavern, NY 12575 ✓

29-1-72  
Michael Merainer  
3 Abby Lane  
Rock Tavern, NY 12575 ✓

29-1-73  
County of Orange  
255-275 Main Street  
Goshen, NY 10924 ✓

29-1-91  
Safety Storage, LLC  
C/o Gerald Sabini  
580 Toleman Road  
Rock Tavern, NY 12575 ✓

31-2-5  
MTA C/o Airport Director  
NYS Dept. of Transportation  
Stewart International Airport  
1035 First Street  
New Windsor, NY 12553 ✓

31-3-1  
James & Donna Flannery  
1 Denniston Lane  
Rock Tavern, NY 12575 ✓

31-3-2  
Jacqueline Prestopino  
1401 Little Britain Road  
Rock Tavern, NY 12575 ✓

31-3-3  
Gordon & Margaret Beers  
16 Judd Place  
Goshen, NY 10924 ✓

31-3-5  
Little Britain Grange  
C/o Francis Coleman  
363 Lake Road  
New Windsor, NY 12553 ✓

31-3-7  
Judith Jacob  
5 Denniston Lane  
Rock Tavern, NY 12575 ✓

31-3-8  
Mark & Sandra McBride  
3 Denniston Lane  
Rock Tavern, NY 12575 ✓

31-4-2  
Vera, Beverly & William Craig  
C/o Beverly Jappen  
225 Conklingtown Road  
Goshen, NY 10924 ✓

31-4-3  
Theodore & Deborah Strelevitz  
1441 Little Britain Road  
Rock Tavern, NY 12575 ✓

31-4-7  
Donald & Barbara Hookey  
1431 Little Britain Road  
Rock Tavern, NY 12575 ✓

31-4-8  
John O'Malley  
1425 Little Britain Road  
Rock Tavern, NY 12575 ✓

31-4-11  
William Marshal Clenney  
Shirley Jean Clenney  
2 Denniston Lane  
Rock Tavern, NY 12575 ✓

52-1-14  
Frieda Netz  
C/o Czarnecki  
520 Toleman Road  
Rock Tavern, NY 12575 ✓

52-1-15.226  
Lester Clark  
Henry Vanleeuwen  
400 BaMar Drive  
Stony Point, NY 10980 ✓

52-1-16  
Veronica Gargiulo  
191 Oakland Avenue  
Eastchester, NY 10709 ✓

George Meyers, Supervisor  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553 ✓

Deborah Green, Town Clerk  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553 ✓

Andrew Krieger, ESQ.  
219 Quassaick Avenue  
New Windsor, NY 12553 ✓

James Petro, Chairman Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553 ✓

Mark J. Edsall, P.E.  
McGoey and Hauser  
Consulting Engineers, P.C.  
33 Airport Center Drive, Suite 202  
New Windsor, NY 12553 ✓

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on

July 25, 2001 at 7:30 P.M. on the approval of the proposed site plan (Subdivision of Lands)\* (Site Plan)\* OF Nextel's wireless telecommunications facility

located Route 207, New Windsor, New York (Section 29, Block 1, Lot 26.11)

Map of the (Subdivision of Lands)(Site Plan)\* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: July 13, 2001

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

---

NOTES TO APPLICANT:

- 1). \*Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

OK 7/3/01  
@

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## REQUEST FOR NOTIFICATION LIST

DATE: 7-3-01



1763

NAME: Snyder & Snyder: For TELE: (212) 749-1448

ADDRESS: Nextel of N.Y. Andre' Charbonneau  
730 Fifth Ave, Ninth Floor  
New York, N.Y. 10019-4105

TAX MAP NUMBER: SEC. 29, BLOCK 1, LOT 26.11  
SEC.       , BLOCK       , LOT         
SEC.       , BLOCK       , LOT       

PUBLIC HEARING DATE (IF KNOWN):                                 

THIS PUBLIC HEARING IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD:

~~SITE PLAN & SUBDIVISIONS:~~

~~(LIST WILL CONSIST OF ABUTTING  
PROPERTY OWNERS AND ACROSS ANY STREET)~~

YES

SPECIAL PERMIT ONLY:

(LIST WILL CONSIST OF ALL PROPERTY  
OWNERS WITHIN 500 FEET)

☒ YES

~~AGRICULTURAL DISTRICT:~~

~~(LIST WILL CONSIST OF ALL PROPERTY OWNERS  
WITHIN THE AG DIST. WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT)~~

YES

\*\*\*\*\*

NEW WINDSOR ZONING BOARD:

~~(LIST WILL CONSIST OF ALL PROPERTY  
OWNERS WITHIN 500 FEET)~~

YES

\*\*\*\*\*

AMOUNT OF DEPOSIT \$ 25.00 TOTAL CHARGE \$

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

(212) 749-1448

FAX (212) 932-2693

WRITER'S E-MAIL ADDRESS

Email to [acharbonneau@snyderlaw.net](mailto:acharbonneau@snyderlaw.net)

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:

westchester office

WESTCHESTER OFFICE  
94 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591  
(914) 333-0700  
FAX (914) 333-0743

DAVID L. SNYDER\*  
LESLIE J. SNYDER  
ROBERT D. GAUDIOSO

\*ADMITTED NY, NJ AND DC

June 29, 2001

Myra Mason  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, New York 12553

RE: Nextel of New York, Inc. d/b/a Nextel Communications  
Special Permit Application for a  
Wireless Communication Facility at  
Route 207, New Windsor, NY  
SBL: 29 - 1 - 26.11

Dear Myra:

Please find enclosed a check for \$25.00 for the processing of a certified list of names and addresses of nearby property owners within 500 feet of the referenced application. Please institute processing at your earliest convenience, as we seek to provide notification for the July 25, 2001 Planning Board public hearing.

If you have any questions, please do not hesitate to call me at (914) 333-0700.

Thank you for your assistance.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
André Charbonneau, Esq.

cc: Esme Lombard  
Maryanne Martabano  
Carlo Saenz

D:\SSDATA\WPDATA\SS6\NEXTEL\ZONING\New Windsor\2035-pb.let4.wpd

RESULTS OF P.B. MEETING OF: June 27, 2001

PROJECT: Rest of N.Y. S.P. & Spec. P.B.# 01-44  
Permit

**LEAD AGENCY:**

**NEGATIVE DEC:**

1. AUTHORIZE COORD LETTER: Y\_\_\_N\_\_\_

M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

2. TAKE LEAD AGENCY: Y ✓ N   

CARRIED: YES NO

M) L S) K VOTE: A4 N0  
CARRIED: YES ☒ NO ☐

CARRIED: YES ✓ NO.     

WAIVE PUBLIC HEARING: M) L S) A VOTE: A 4 N 0 WAIVED: Y    N ✓

SCHEDULE P.H. Y ☒ N ☐

SPEC. PERMIT

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M)      S)      VOTE: A      N     

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED: \_\_\_\_\_

MO S) VOTE: A N APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y N

DISCUSSION/APPROVAL CONDITIONS:

Road to be built as Private Rd

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**  
730 FIFTH AVENUE, NINTH FLOOR  
NEW YORK, NEW YORK 10019-4105

WESTCHESTER OFFICE  
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WRITER'S E-MAIL ADDRESS  
[acharbonneau@Snyderlaw.net](mailto:acharbonneau@Snyderlaw.net)

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 622-6300  
FAX (973) 622-3423

REPLY TO:  
Westchester Office

June 28, 2001

Orange County Planning Department  
124 Main Street  
Goshen, NY 10924

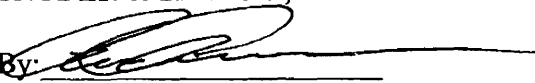
RE: Nextel of New York, Inc. d/b/a Nextel Communications  
Special Permit Application for a  
Wireless Communication Facility at  
Route 207, New Windsor, NY

Dear Orange County Planning Department:

We are the attorneys for Nextel Communications in connection with a proposed wireless communications facility (the "Facility") at the above captioned site. Pursuant to the request of the Town of New Windsor Planning Board, and the requirements of New York General Municipal Law §239-m, I have enclosed one (1) copy of all materials submitted to the Milan Planning Board in support of the application for the Facility for your review. Kindly forward any comments to the Town of new Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, within thirty (30) days of receipt hereof, per GML §239-m.

If you have any questions or require additional documentation, please do not hesitate to call me at (914) 333-0700. Thank you for your consideration.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
André Charbonneau, Esq.

cc: Town of New Windsor Planning Board  
Esme Lombard  
Maryanne Martabano

D:\SSDATA\WPDATA\SS6\NEXTEL\ZONING\New Windsor\2035 County ML239 notification.wpd

**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#573-2001**

**06/19/2001**

*PB 01-44 Special Permit Fee.*  
**Snyder & Snyder**

**Received \$ 100.00 for Planning Board Fees on 06/19/2001. Thank you for stopping  
by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**



**Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611**

**RECEIPT  
#574-2001**

**06/19/2001**

01-44 Site Plan App Fee  
Snyder & Snyder

**Received \$ 100.00 for Planning Board Fees on 06/19/2001. Thank you for stopping  
by the Town Clerk's office.**

**As always, it is our pleasure to serve you.**

**Deborah Green  
Town Clerk**

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/18/2001

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 1-44

NAME: NEXTEL - NEW WINDSOR - NY 2035

APPLICANT: NEXTEL OF NEW YORK, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/18/2001	REC. CK. #1414	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00



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 730 FIFTH AVENUE, NINTH FLOOR  
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 (914) 333-0700  
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DAVID L. SNYDER\*  
 LESLIE J. SNYDER

\*ADMITTED NY, NJ AND DC

(212) 749-1448  
 FAX (212) 932-2693

WRITER'S E-MAIL ADDRESS

Email to [smandelbaum@snyderlaw.net](mailto:smandelbaum@snyderlaw.net)

NEW JERSEY OFFICE  
 ONE GATEWAY CENTER, SUITE 2600  
 NEWARK, NEW JERSEY 07102  
 (973) 622-6300  
 FAX (973) 622-3423

REPLY TO:

westchester office

June 7, 2001

Hon. Chairman James Petro, Jr.  
 and Members of the Planning Board  
 555 Union Avenue  
 New Windsor, New York 12553

RE: Nextel of New York, Inc. d/b/a Nextel Communications  
 Special Permit Application for a  
 Wireless Communication Facility at  
Route 207, New Windsor, NY

Dear Hon. Chairman Petro and Members of the Planning Board:

We are the attorneys for Nextel of New York, Inc. d/b/a Nextel Communications ("Nextel"), in connection with Nextel's application to install a telecommunications facility ("Facility") at the above captioned site. The Facility consists of a 150 foot monopole with antennas, together with a related 240 square foot equipment shelter at the base thereof. The Facility will be utilized by Nextel to provide wireless communications to the area.

Pursuant to the Zoning Code of the Town of New Windsor §48-9, entitled "Use Regulations", and §48-21(M), entitled "Telecommunications towers", the Facility is permitted at the Property by special use permit and site plan approval from the New Windsor Planning Board. The Property, which is located in the OLI zoning district, is adjacent to a commercial storage facility.

Kindly note that we attended a pre-application meeting with the New Windsor Building and Fire Inspectors on May 16, 2001. Based on the foregoing, on behalf of Nextel, we respectfully submit the following documents, together with the required application fee, in connection with the captioned special permit application:

1. Ten (10) copies of the Planning Board Application Form, together with a Proxy Statement and Letter of Authorization from the property owner authorizing Nextel to file the application;
2. Ten (10) copies of the Memorandum in Support of the Application, including a Full EAF and Visual EAF;

3. Ten (10) sets of signed and sealed plans, depicting the proposed Facility; and
4. Two (2) checks made payable to the Town of New Windsor, one in the amount of \$100.00, representing the application fee, and one in the amount of \$750.00, representing the escrow amount.

We look forward to discussing this matter with the Board at the June 27, 2001 Planning Board meeting.

If you have any questions, please do not hesitate to call me at (914) 333-0700.

Thank you for your consideration.

Very respectfully submitted,  
SNYDER & SNYDER, LLP

By:   
Seth M. Mandelbaum, Esq.

SMM:akc

Enclosures

cc: Esme Lombard  
Maryanne Martabano  
Dominick Scaramuzzino  
Carlo Saenz  
Tammy Rossie

**INTER-OFFICE CORRESPONDENCE**

**TO: Town Planning Board**

**FROM: Town Fire Inspector**

**DATE: June 19, 2001**

**SUBJECT: Nextel**

**Planning Board Reference Number: PB-01-44**

**Date: 18 June 2001**

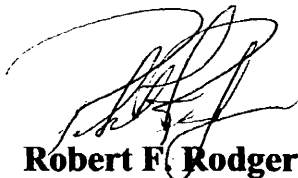
**Fire Prevention Reference Number: FPS-01-035**

**A review of the above referenced subject site plan was conducted on 19 June 2001.**

**This site plan is acceptable.**

**The location map on the cover sheet however, is not in New Windsor.**

**Plans Dated: 5 June 2001 Revision 3**



**Robert F. Rodgers**



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

**01-44**

DATE PLAN RECEIVED:

RECEIVED

JUN 18 2001

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by \_\_\_\_\_

\_\_\_\_\_ for the building or subdivision of \_\_\_\_\_

Rock Tavern Industrial Park - Nextel has been

reviewed by me and is approved ☒

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

No town water in this area

HIGHWAY SUPERINTENDENT

DATE

Steve D. D. 12-6-19-01  
WATER SUPERINTENDENT

DATE

SANITARY SUPERINTENDENT

DATE



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

☐ Main Office  
45 Ouassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
  
☐ Branch Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor

P/B # 1-3

WORK SESSION DATE: 5-16-01

APPLICANT RESUB.  
REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Nextel

PROJECT STATUS: NEW X OLD       

REPRESENTATIVE PRESENT: Keith Kukkonen PE (Technic)

MUNIC REPS PRESENT: BLDG INSP.       

FIRE INSP. X

ENGINEER X

PLANNER       

P/B CHMN.       

OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- New cell tower near min. variance sig 207/Tolonen
- mono pole - 150'
- lease parcel - exact dime of forced in area.
- Rock Tavern Trd
- 
- 
- 
- 
- 
- 

pbwsform 10MJ98

X CLOSING STATUS  
Set for agenda  
possible agenda item  
Discussion item for agenda  
ZBA referral on agenda

next avail  
6/13 probably

NEXTEL OF NEW YORK, INC. (01-44)

Andre K. R. Charbonneau, Esq. of Snyder & Snyder, LLP appeared before the board for this proposal.

MR. PETRO: Proposed communications tower with equipment shelter.

MR. CHARBONNEAU: Good evening honorable members of the board, my name is Andre Charbonneau, attorney, representing our clients, Nextel of new York, Inc.

MR. PETRO: I like that honorable, very unusual from what I usually get called.

MR. CHARBONNEAU: I'm a fairly new attorney.

MR. PETRO: Completely interrupted your presentation, didn't I?

MR. CHARBONNEAU: Let the board be a guidance today, I don't know if you want me to go through a whole introduction of our whole facility or--

MR. PETRO: Be more brief and to the point, we're going to go with the engineer, usually pretty yes or no, quick.

MR. CHARBONNEAU: We did have our presubmission meeting on May 16th. We're coming before you tonight, as you know, for a 150 foot telecommunications facility located on Route 207, New Windsor, New York. We're coming before you to request a public hearing being scheduled possibly at the July 25th meeting, I believe, which was just mentioned as well as to have this honorable board declare themselves lead agency under SEQRA. And, in addition, under New York Law 239, we didn't know if the board had put forth a notification to Orange County Planning Department and as well as submitting one copy of all the submission that was put forth to the board and we'd be happy to do that at the board's request.

MR. PETRO: Mark, there's not a moratorium or anything that we're unaware of with the Town of New Windsor



against these cell towers or towers?

MR. EDSALL: Not that I know of.

MR. PETRO: It's a permitted use?

MR. EDSALL: It's a special permit use Section 48-21A of the code outlines standards and performance standards for these uses.

MR. PETRO: With the special use permit.

MR. EDSALL: Yes and I don't know whether or not Myra already has copies of this document circulated to all the board members?

MS. MASON: No.

MR. EDSALL: It may be worthwhile that the board members pick up and review copies for when the public hearing, mandatory public hearing is held because 48-21A outlines a whole barrage of information they have to submit and criteria they have to demonstrate the need. They have submitted a very thorough response to 48-21A and I would think that for the board and at the public hearing, it would make sense to you to take a chance between now and then to look at this.

MR. CHARBONNEAU: Copies of this, ten copies of that application were submitted on June 7th, if the board would like extra copies, we'd be happy to do so.

MR. PETRO: Motion for lead agency.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Nextel of New York site plan on Toleman Road. Roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Obviously, we're going to have to schedule a public hearing because it's mandatory because it's a special use permit. There's one note here from Mark, says plan notes 50 x 50 lease area interior to the property, it's my opinion that this is inappropriately small since other areas of the property are affected by the tower. Mark, can you pick up on that?

MR. EDSALL: One of the suggestions that I did make was that they look a little more closely at the 50 x 50 because there are some performance requirements in the code relative to debris falling off the tower or ice clumps or a tower failure that the area surrounding the tower would be restricted to a dimension that's appropriate based on the the Town and those items, the 50 x 50 doesn't seem to restrict enough space, I would think that either they have to lease the area they're showing and then restrict the area around it to a certain dimension or just lease a larger area.

MR. CHARBONNEAU: Per the code, I'm not an engineer, but my reading of it, those setbacks are per the property itself and there's a 75 foot setback that was mandated for the tower itself which is half of the height of the tower. We currently have I think almost 510 foot setback for the tower itself, which is generally that's not for the compound itself, it's for the property on which the tower's being situated.

MR. EDSALL: You're absolutely right. The only difficulty is if tomorrow or not tomorrow, but the day after you obtain approval, another application comes in and wants to build something next to your leased parcel, there's no restriction that this board can enforce to keep someone from not getting that site plan approval.

MR. ARGENIO: I agree with Mark.

MR. EDSALL: The point is we need to have the property

owner in conjunction with you meet the code with the presumption that the rest of the property is not forever going to be vacant, that's the difficulty so I'm looking to you for whatever the applicant and the property owner see as the right solution to that issue.

MR. LANDER: Excuse me, it's going to remain vacant?

MR. EDSALL: No, I'm saying that it's very unlikely, the point being is that they've got great setback to the property, but what happens if some portion of the property is developed a week after they get their approval, we can't control that. But they should do something to protect the need and the intent of the law.

MR. CHARBONNEAU: As the applicants were willing to follow the board's lead on that, if I might kind of remind the board that any further development on the lot will have to come before this honorable board as well, so you would still be in control of where it was located at a future point in time and its an 84 acre piece of property in the OLI district.

MR. PETRO: We won't have any control of setbacks to the towers.

MR. EDSALL: We'll have control by site plan, but won't have Nextel in front of us to tell us based on that tower structure if it fails or what they anticipate as a safe clear area around it. So I think we should address it now so that we have it on the record. That way, when someone comes back to develop the rest of the property, we can say when Nextel was in, we identified that we need a hundred feet saved.

MR. PETRO: I'm not too good with math, if you have a 150 foot tower, it would seem to me that you'd need 150 feet around it.

MR. EDSALL: Some of them are designed as to not collapse as a tilting action but to collapse downward. We need Nextel to tell us as part of their application what the answer is.

MR. CHARBONNEAU: I can corroborate for the monopoles that's the case, that they collapse on themselves in either half or thirds, generally thirds is the case, but we're happy to bring forth an engineering test or put forth a report to this board certifying so at any time in the future--

MS. ROSSI: Tammy Rossi with Tectonic Engineering. I will submit the monopole drawings that will dictate that the monopole will be designed with a weak link in the pole itself so it will fail approximately halfway down the pole, in the event, in the unlikely event that it would ever fail, so it would be about a 75 foot radius so you're asking for an additional 25 foot around the fence that would not be allowed to be developed. Am I understanding you correctly?

MR. EDSALL: That's what we're looking for is that a response to that direction.

MS. ROSSI: And you're saying structures, am I understanding you correctly, structures themselves not being able to be developed in that area?

MR. CHARBONNEAU: Is that correct, the compound perimeter releasing 50 x 50 foot compound area, you'd like to see 75 x 75 foot compound area?

MR. EDSALL: Either expand the lease area or restrict additional area around it.

MS. ROSSI: But the additional restriction, if they wanted to subdivide the parcel, your restrictions would be for additional structures, am I correct?

MR. EDSALL: For use of the property and the area of influence of the tower.

MS. ROSSI: Like a wetland buffer type thing.

MR. EDSALL: Same idea except these hurt a lot more than the wetlands when they come down.

MR. KRIEGER: It's not only structures, any reason that somebody might be there, like right-of-ways for travel.

MR. BABCOCK: A parking lot, probably expanding your lease parcel would probably be the answer in my mind, if that's possible.

MR. LANDER: Lot 2611 is 94 acres, is that what you're saying?

MR. CHARBONNEAU: I believe that a lot that we're going on is 84 acres.

MR. LANDER: I think we can expand that around that lease area.

MR. PETRO: The board should discuss the gravel access drive, usually the board requires all such drives are constructed to private road standards at minimum, but you won't really be using this drive other than to service the tower on occasion, correct?

MR. EDSALL: The reason for that is the fire inspector's office told us as a policy they consider the private road standard the minimum road they want for emergency vehicle access, so that comes down to just if for some reason there was an injury, someone on the tower, whatever else, they want to have a road that they know is stable so that they can pull in a heavy vehicle.

MR. PETRO: What's the map show now, Mark?

MR. EDSALL: I think it's roughly half the construction standard of a private road.

MR. PETRO: Well, we have an approval from the fire department.

MR. EDSALL: I'm sure when I remind Mr. Rogers of his previous review on another job, he'll likely--

MR. LANDER: So private road spec.

MR. EDSALL: It's not a big deal, it just makes it a little safer for heavy vehicles.

MR. ARGENIO: Oil and chip, isn't it?

MR. EDSALL: Basically, 12 inches of shale with oil and chip.

MR. LANDER: Can you make the tower look like a tree?

MR. CHARBONNEAU: We thought perhaps with the usage of, future usage of the area that that might not be the best avenue. However, we will be happy to provide a rendering, picture renderings to the board in the form of a tree, if the board would so desire, as far as picture renderings, there are renderings of the tower from different locations in the Town as well as per the zoning code.

MR. LANDER: Only reason I bring that up they're, I'm not going to say yours is ugly, but one was put up here in just, on the city and New Windsor line without anybody's knowledge and it's ugly.

MR. CHARBONNEAU: The connotation I usually hear is toilet brush.

MR. EDSALL: Instead of a lattice tower like Dean Hill, this is monopole.

MR. LANDER: Your location map on here is maybe for, I don't know where again, it's a flag pole.

MR. LANDER: Seems to me it's New Paltz.

MR. CHARBONNEAU: That we were going to bring a correction in for that, but she said there'd probably be future corrections as we're seeing with the compound area and the drive, so we'll correct that at that time.

MR. PETRO: Entertain a motion to schedule a public hearing?

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the

New Windsor Planning Board schedule a public hearing for the Nextel New York site plan on Toleman Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Contact Myra once you have plans, set private road specs on the plan, secure the extra buffer zone, you're set for a public hearing, you'll be put on when you're ready.

MR. CHARBONNEAU: Very good. Last area or issue that I mentioned notice to the County under 239 municipal code or municipal law, would you like to us do that, submit to the County one copy of everything that was submitted to this board?

MR. PETRO: Well, if it's the law, then do it, I guess, yes.

MR. CHARBONNEAU: Very good.

MR. PETRO: You're all set.

MR. CHARBONNEAU: Thank you very much. Have a nice evening.



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot/Line Change \_\_\_\_\_ Site Plan ☒ Special Permit ☒

Tax Map Designation: Sec. 29 Block 1 Lot 26.11

1. Name of Project Nextel - New Windsor - NY 2035
2. Owner of Record Rock Tavern Village LP Phone (845) 786-6000  
Address: 614 Little Britain Road, New Windsor, NY 12553  
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant Nextel of New York, Inc. Phone (914) 448-4457  
Address: One North Broadway, White Plains, New York 10601  
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan Tectonic Engineering Consultants P.C. Phone (845) 534-3450  
Address: 2570 Route 9W, Cornwall, New York 12518  
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney Seth Mandelbaum of Snyder & Snyder, LLP Phone (914) 333-0700  
Address: 94 White Plains Road, Tarrytown, NY 10592  
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:  
Seth Mandelbaum, Esq. (914) 333-0700  
(Name) (Phone)
7. Project Location:  
On the South side of Routh 207 983 feet  
(Direction) (Street) (No.)  
East of Toleman Road  
(Direction) (Street)
8. Project Data: Acreage 84 Zone OLI School Dist Washingtonville



9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) Wireless telecommunications facility situated within a 50' x 50' forced compound containing a 12' x 20' equipment shelter and a 150' foot monopole.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ~~WESTCHESTER~~)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

7<sup>th</sup> DAY OF June 2001

Fredrick W. Turner  
NOTARY PUBLIC, State of New York  
No. 02TU5079647  
Qualified in Westchester County  
Commission Expires June 30, 2012  
\*\*\*\*\*

NEXTEL OF NEW YORK, INC.

By: Seth M. Mandelbaum as attorney  
APPLICANT'S SIGNATURE

Seth M. Mandelbaum as attorney  
Please Print Applicant's Name as Signed

TOWN USE ONLY:

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JUN 18 2001  
DATE APPLICATION RECEIVED

01-44  
APPLICATION NUMBER

**TOWN OF NEW WINDSOR PLANNING BOARD**

**SITE PLAN CHECKLIST**

**ITEM**

1.     X     Site Plan Title
2.     X     Provide 4" wide X 2" high box directly above title block  
(preferably lower right corner) for use by Planning Board in  
affixing Stamp of Approval (ON ALL PAGES OF SP)
3.     X     Applicant's Name(s)
4.     X     Applicant's Address
5.     X     Site Plan Preparer's Name
6.     X     Site Plan Preparer's Address
7.     X     Drawing Date
8.     X     Revision Dates
9.     X     Area Map Inset and Site Designation
10.     X     Properties within 500' of site
11.     X     Property Owners (Item #10)
12.     X     Plot Plan
13.     X     Scale (1" = 50' or lesser)
14.     X     Metes and Bounds
15.     X     Zoning Designation
16.     X     North Arrow
17.     X     Abutting Property Owners
18.     X     Existing Building Locations
19.     N/A     Existing Paved Areas
20.     X     Existing Vegetation
21.     X     Existing Access & Egress

## PROPOSED IMPROVEMENTS

- |     |                       |                                     |
|-----|-----------------------|-------------------------------------|
| 22. | <u>      X      </u>  | Landscaping                         |
| 23. | <u>      X      </u>  | Exterior Lighting                   |
| 24. | <u>      X      </u>  | Screening                           |
| 25. | <u>      X      </u>  | Access & Egress                     |
| 26. | <u>      X      </u>  | Parking Areas                       |
| 27. | <u>      N/A     </u> | Loading Areas                       |
| 28. | <u>      X      </u>  | Paving Details (Items 25 - 27)      |
| 29. | <u>      N/A     </u> | Curbing Locations                   |
| 30. | <u>      N/A     </u> | Curbing through section             |
| 31. | <u>      N/A     </u> | Catch Basin Locations               |
| 32. | <u>      N/A     </u> | Catch Basin Through Section         |
| 33. | <u>      N/A     </u> | Storm Drainage                      |
| 34. | <u>      N/A     </u> | Refuse Storage                      |
| 35. | <u>      N/A     </u> | Other Outdoor Storage               |
| 36. | <u>      N/A     </u> | Water Supply                        |
| 37. | <u>      N/A     </u> | Sanitary Disposal System            |
| 38. | <u>      N/A     </u> | Fire Hydrants                       |
| 39. | <u>      X      </u>  | Building Locations                  |
| 40. | <u>      X      </u>  | Building Setbacks                   |
| 41. | <u>      X      </u>  | Front Building Elevations           |
| 42. | <u>CT BUSINESS:</u>   |                                     |
| 42. | <u>TELEPHONE</u>      | Divisions of Occupancy              |
| 43. | <u>EXCHANGE</u>       |                                     |
| 43. | <u>      X      </u>  | Sign Details                        |
| 44. | <u>      X      </u>  | Bulk Table Inset                    |
| 45. | <u>      X      </u>  | Property Area (Nearest 100 sq. ft.) |
| 46. | <u>      X      </u>  | Building Coverage (sq. ft.)         |
| 47. | <u>      X      </u>  | Building Coverage (% of total area) |
| 48. | <u>      X      </u>  | Pavement Coverage (sq. ft.)         |
| 49. | <u>      X      </u>  | Pavement Coverage (% of total area) |
| 50. | <u>3,658,744</u>      | Open Space (sq. ft.)                |
| 51. | <u>99.99 %</u>        | Open Space (% of total area)        |
| 52. | <u>      X      </u>  | No. of parking spaces proposed      |
| 53. | <u>      X      </u>  | No. of parking spaces required      |

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REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. N/A Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. N/A A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: Dale Hylb 4/26/01  
Licensed Professional Date

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01-44

**LETTER OF AUTHORIZATION****Municipality: Town of New Windsor****Application for zoning/approval**

Rock Tavern Village, L.P., the owner of Rock Tavern Industrial Park, New Windsor, New York, Section 29, Block 1, Lot 26.1 and 26.22, does hereby appoint Nextel of New York, Inc. ("Nextel") and its representatives, as Owner's agent for the purpose of completing and/or filing any application, form, map, drawing, site plan or any other document, useful or necessary in obtaining any zoning approval, variance, special permit or other land use approval or building permit (collectively, the "Approvals"), required to provide Nextel with lawful access to, and the ability to use the Property for the purpose of installing, erecting or otherwise placing antennas, support structures and related equipment on the Property. Owner shall fully cooperate with Nextel and its agents in obtaining any required Approvals. Nextel shall be responsible for all cost, filing fees, or any other expenses incurred in connection with securing any Approvals.

**ASSESSOR'S PARCEL NUMBER: Section 29 Block 1, Lot 26.1 and 26.22****"Property Owner"**By: 

Lester A. Clark, Managing Partner

Signed and Sworn before me this 27<sup>th</sup> day of Feb., 2001.  
Notary Public

PETER BRANTI, JR.  
Notary Public, State of New York  
No. 02BR5025987  
Qualified in Rockland County  
Commission Expires April 4, 2002

**01-44**  
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JUN 18 2001

TOTAL P.02

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
**TOWN OF NEW WINDSOR PLANNING BOARD**

Rock Tavern Village, E.P. (Lester A. Clark) deposes and says that he resides  
(OWNER)

at 100 Ba Mar Drive, Stony Point, NY 10980 in the County of Rockland  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 29 Block 1 Lot 26.1)  
designation number (Sec. 29 Block 1 Lot 26.22) which is the premises described in

the foregoing application and that he authorizes:

Nextel of New York, Inc., One North Broadway, 2nd Floor, White Plains, 10601  
(Applicant Name & Address, if different from owner)

Snyder & Snyder, LLP, 94 White Plains Road, Tarrytown, NY 10591  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: April 17, 2001

\_\_\_\_\_  
Witness' Signature

Lester A. Clark  
Owner's Signature

Scott M. Maulder as attorney  
Applicant's Signature if different than owner

\_\_\_\_\_  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

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JUN 18 2001

01-44



DBA NEXTEL COMMUNICATIONS

LOCATION MAP

SCALE: 1" = 1000'

SITE NAME:	NEW WINDSOR CENTRAL
SITE NUMBER:	NY-2035
SITE ADDRESS:	ROCK TAVERN INDUSTRIAL PARK ROUTE 207 NEW WINDSOR, NY
PROPERTY OWNER:	ROCK TAVERN VILLAGE LP 614 LITTLE BRITAIN ROAD NEW WINDSOR, NY 12553
APPLICANT:	NEXTEL OF NEW YORK INC. DBA NEXTEL COMMUNICATIONS ONE NORTH BROADWAY WHITE PLAINS, NEW YORK 10601
JURISDICTION:	TOWN OF NEW WINDSOR
CURRENT ZONING:	OLI-OFFICE & LIGHT INDUSTRY
SECTION, BLOCK & LOT:	SECTION 29, BLOCK 1, LOT 26.11
QUADRANGLE MAP:	MAYBROOK
COUNTY:	ORANGE
DECLINATION:	12 1/2°±
LATITUDE (NAD 83):	41° 28' 27" N
LONGITUDE (NAD 83):	74° 08' 02" W

NEXTEL CONTACT:	MICHAEL MAHONEY (914) 447-4336
ZONING CONTACT:	ESME LOMBARD (914) 448-4457
SITE CONTACT:	LESTER CLARK (845) 786-6000
TOWN OF NEW WINDSOR:	TOWN CLERK (845) 563-4611
ELECTRIC COMPANY:	CENTRAL HUDSON GAS & ELECTRIC CORP. JOE KISSEL (845) 563-4529
TELEPHONE COMPANY:	VERIZON (845) 890-7100

INSTALLATION OF A PREFABRICATED 12'x20' UNMANNED EQUIPMENT SHELTER AT GRADE  
AND (12) TWELVE PANEL ANTENNAS MOUNTED ON A PROPOSED 150' MONOPOLE.

PROJECT DESCRIPTION

[illegible]

THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL ITEMS OF CONCERN HAVE BEEN ADDRESSED AND EACH OF THE DRAWINGS HAS BEEN REVISED AND ISSUED "FOR CONSTRUCTION"

OWNER: \_\_\_\_\_ DATE \_\_\_\_\_

PLANNING BOARD  
CHAIRMAN: \_\_\_\_\_ DATE \_\_\_\_\_

UNAUTHORIZED ALTERATION OR ADDITIONS TO A DOCUMENT BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 7209 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.

COPIES OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL EMBOSSED SEAL OR ORIGINAL STAMP IN BLUE OR RED INK OF THE PROFESSIONAL ENGINEER OR LAND SURVEYOR SHALL NOT BE CONSIDERED VALID COPIES.

ORIGINAL SIZE IN INCHES

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

NOV 16 2001

By: \_\_\_\_\_ James Petro, Jr., Chairman  
By: \_\_\_\_\_ James Brennan, Secretary

2570 ROUTE 9W  
CORNWALL, NEW YORK 12518  
(845) 534-3450

**NEXTEL**

PROJECT NUMBER	DRAWN BY
1170.2035	JMC

NO.	DATE	ISSUE
-	3/19/01	FOR COMMENT
1	4/17/01	FOR APPROVAL
2	4/26/01	PER COMMENTS
3	6/5/01	PER LAWYER COMMENTS
4	7/3/01	PER TOWN COMMENTS
5	9/19/01	REVISED DRIVEWAY PLAN
6	9/21/01	FOR REVIEW
7	9/27/01	FOR PERMIT
8	10/5/01	PER ENGINEER'S COMMENTS
9	11/6/01	REVISED DRIVEWAY DETAIL

RELEASED BY Anthony Batts DATE 11/6/01

CONSTRUCTION \_\_\_\_\_ DATE: \_\_\_\_\_  
LEASING \_\_\_\_\_ DATE: \_\_\_\_\_  
RF \_\_\_\_\_ DATE: \_\_\_\_\_  
ZONING \_\_\_\_\_ DATE: \_\_\_\_\_  
OWNER \_\_\_\_\_ DATE: \_\_\_\_\_  
NETWORK ENG \_\_\_\_\_ DATE: \_\_\_\_\_

NY-2035  
ROCK TAVERN  
INDUSTRIAL PARK  
ROUTE 207  
NEW WINDSOR, NY  
12553

NEXTEL OF NEW YORK INC.  
DBA NEXTEL COMMUNICATIONS  
ONE NORTH BROADWAY  
WHITE PLAINS, NEW YORK 10601  
OFFICE: (914) 421-2600  
FAX: (914) 421-2700

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1



N

APPROX



1 **PLOT PLAN**  
C-1 SCALE: 1" = 300'

## LIST OF PROPERTY OWNERS WITHIN 500 FEET

TOWN OF NEW WINDSOR				ADDRESS
SECTION	BLOCK	LOT	OWNER	
29	1	5.2	NYS DEP. OF TRANSPORTATION c/o PAT SNYDER	PASSENGER TRAN. DIV. BLDG 4, ROOM 448, 1220 WASHINGTON AVENUE, ALBANY, NY 12232
29	1	20.11	GOGGIN, AMY LYNN & KEVIN	553 STATION ROAD, ROCK TAVERN, NY 12575
29	1	20.12	McCOURT, JOANNE & THADEUS	559 STATION ROAD, ROCK TAVERN, NY 12575
29	1	20.13	CAROLAN, MARY ELLEN & STEPHEN	565 STATION ROAD, ROCK TAVERN, NY 12575
29	1	20.14	MILSTEIN, MARK & MARCEL	571 STATION ROAD, ROCK TAVERN, NY 12575
29	1	20.2	McCRACKEN, CHARLES, SARA & WILLIAM & LESHORN, CYNTHIA	601 STATION ROAD, ROCK TAVERN, NY 12575
29	1	20.31	GALEWSKI, ROY	4 DENNISTON LANE, ROCK TAVERN, NY 12575
29	1	20.32	KELLY, KATHLEEN & DANIEL	625 STATION ROAD, ROCK TAVERN, NY 12575
29	1	21.1	SANTIAGO, JO ANNE & LORENZO	3 KALE LANE, ROCK TAVERN, NY 12575
29	1	21.2	MARGOLIS, TERESA & STEVEN	4 KALE LANE, ROCK TAVERN, NY 12575
29	1	27.1	PEREZ, MILDRED & DAVID	539 TOLEMAN ROAD, ROCK TAVERN, NY 12575
29	1	27.2	OLDHAM, DIANA & JAY	551 TOLEMAN ROAD, ROCK TAVERN, NY 12575
29	1	27.3	GOTTLEB, IGA & GEORGE	561 TOLEMAN ROAD, ROCK TAVERN, NY 12575
29	1	27.41	CZUMAK, RAYMOND	1533 LITTLE BRITAIN ROAD, ROCK TAVERN, NY 12575
29	1	27.42	CZUMAK, RAYMOND	18 SCHOFIELD LANE, CORNWALL, NY 12518
29	1	27.51	ADVANCE BROADCASTING CORP. c/o SUNRISE BROADCASTING OF NY, INC.	P.O. BOX 2307, NEWBURGH, NY 12550
29	1	28.1	UNITARIAN SOCIETY OF ORANGE COUNTY	9 VANCE DRIVE, ROCK TAVERN, NY 12575
29	1	51	VILLA, CLEMENT & GWEN	521 STATION ROAD, ROCK TAVERN, NY 12575
29	1	52	McKALLEN, ANNE & EDWARD	525 STATION ROAD, NEW WINDSOR, NY 12553
29	1	53.21	McADON, LINDA & VINCE	8 BEECH ACRE DRIVE, ROCK TAVERN, NY 12575
29	1	53.22	CACIOPPO, JOANNE & JAMES	10 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	53.23	TIEKNEN, NANCY	12 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	54	CHILSON, HANNAH & KENNETH	12829 EAST OREGON DRIVE, AURORA, CO 80012
29	1	55	FOLKL, ROBERT	539 STATION ROAD, ROCK TAVERN, NY 12575
29	1	56	JOHNSON, BEVERLY & BARRY	545 STATION ROAD, ROCK TAVERN, NY 12575
29	1	57	QUINN, SUSAN & JAMES	6 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	58	HEREDIA, THERESA & MANUAL	4 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	59	PELOSO, PAMELA & KEITH	1 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	60	HALL, MAUREEN & STEPHEN	3 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	61	GOZZA, CHRISTINE & JOHN	5 BEECH ACRES DRIVE, ROCK TAVERN, NY 12575
29	1	62	EICH, PHYLLIS & WILLIAM	538 TOLEMAN ROAD, ROCK TAVERN, NY 12575
29	1	63	EATON, DEBORAH & RONALD	530 TOLEMAN ROAD, ROCK TAVERN, NY 12575
29	1	69.1	HARMON, LLOYD	577 STATION ROAD, ROCK TAVERN, NY 12575
29	1	69.2	CHURIK, JANET & CHARLES	P.O. BOX 220, ROCK TAVERN, NY 12575
29	1	69.3	DEANGELIS, GREGORY	589 STATION ROAD, ROCK TAVERN, NY 12575
29	1	70	MANERA, KATHLEEN & JAMES	4 ABBY LANE, ROCK TAVERN, NY 12575
29	1	71	CUTRO, CAROLE & RAYMOND	6 ABBY LANE, ROCK TAVERN, NY 12575
29	1	72	MERAINER, MICHAEL	3 ABBY LANE, ROCK TAVERN, NY 12575
29	1	73	COUNTY OF ORANGE	255-275 MAIN STREET, GOSHEN, NY 10924
29	1	91	SAFETY STORAGE, LLC c/o GERALD SABIN	580 TOLEMAN ROAD, ROCK TAVERN, NY 12575
29	1	92	ROCK TAVERN VILLAGE, LP	400 BAMAR DRIVE, STONY POINT, NY 10980
31	2	5	AIRPORT DIRECTOR, NYS DEPT. OF TRANSP. STEWART INTERNATIONAL AIRPORT	1035 FIRST STREET, NEW WINDSOR, NY 12553
31	3	1	FLANNERY, DONNA & JAMES	1 DENNISTON LANE, ROCK TAVERN, NY 12575
31	3	2	PRESTOPINO, JACQUELINE	1401 LITTLE BRITAIN ROAD, ROCK TAVERN, NY 12575
31	3	3	BEERS, MARGARET & GORDON	16 JUDD PLACE, GOSHEN, NY 10924
31	3	5&6	LITTLE BRITAIN GRANGE c/o FRANCIS COLMAN	363 LAKE ROAD, NEW WINDSOR, NY 12553
31	3	7	JACOB, JUDITH	5 DENNISTON LANE, ROCK TAVERN, NY 12575
31	3	8	McBRIDE, SANDRA & MARK	3 DENNISTON LANE, ROCK TAVERN, NY 12575
31	4	1	GREEN, KAROLE & HAROLD	32 HARTH DRIVE, NEW WINDSOR, NY 12553
31	4	2,5&6	GRAIG, WILLIAM & VERA C. BEVERLY c/o BEVERLY C. JAPPEN	225 CONKLINGTOWN, GOSHEN, NY 10924
31	4	3&4	STRELEVITZ, DEBORAH & THEODORE	1441 LITTLE BRITAIN ROAD, ROCK TAVERN, NY 12575
31	4	7	HOOKER, BARBARA & DONALD	1431 LITTLE BRITAIN ROAD, ROCK TAVERN, NY 12575
31	4	8	O'MALLEY, JOHN	1425 LITTLE BRITAIN ROAD, ROCK TAVERN, NY 12575
31	4	9,10 13&14	GALEWSKI, ROY CROKE	4 DENNISTON LANE, ROCK TAVERN, NY 12575
31	4	11&12	CLENNEY, SHIRLEY JEAN & WILLIAM	2 DENNISTON LANE, NEW WINDSOR, NY 12553
52	1	14	NETZ, FRIEDA c/o CZARNECKI	320 TOLEMAN ROAD, ROCK TAVERN, NY 12575
52	1	15,22&	VANLEEUWEN, LESTER CLARK & HENRY	400 BAMAR DRIVE, STONY POINT, NY 10980
52	1	16	GARGIULO, CAROL, HENRY, ALICE & SALVATORE	1578 EAST 233 STREET, BRONX, NY 10466

## GENERAL NOTES

- EXISTING SITE FEATURES AND TOPOGRAPHY BASED ON A SURVEY ENTITLED "PARTIAL TOPO & BOUNDARY SURVEY", PREPARED BY TECTONIC ENGINEERING CONSULTANTS, P.C. DATED APRIL 4, 2001.
- PROPERTY LINES SHOWN BASED ON TOWN OF NEW WINDSOR TAX MAPS.
- VERTICAL DATUM BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929 (APPROXIMATELY).
- NORTH DETERMINED BY SURVEY REFERENCE IN NOTE # 1.
- ALL EXISTING BUILDINGS AND ALL OTHER SIGNIFICANT FEATURES HAVE BEEN SHOWN WITHIN THE LIMITS OF DISTURBANCE. UNDERGROUND IMPROVEMENTS, IF ANY AND NOT VISIBLE, ARE NOT SHOWN.
- THE PROPOSED FACILITY IS UNMANNED, AND THEREFORE DOES NOT REQUIRE A MEANS OF WATER SUPPLY OR SEWAGE DISPOSAL.
- THE PROPOSED FACILITY IS MINIMAL, AND WILL CREATE NO ADDITIONAL STORM WATER RUNOFF AND WILL THEREFORE NOT IMPACT THE EXISTING STORM WATER DRAINAGE SYSTEM.
- THE PROPOSED FACILITY INCLUDES ONE EMERGENCY SIGN, SEE DETAIL 6/C-3.
- THE PROPOSED FACILITY DOES NOT INCLUDE OUTDOOR STORAGE OR ANY SOLID WASTE RECEIPTABLES.
- ONE 100 WATT LIGHT FIXTURE, WHICH WILL OPERATE BY MOTION DETECTION, IS PROPOSED AS SECURITY LIGHTING ON THE EXTERIOR OF THE SHELTER.
- DESIGN, FABRICATION AND ERECTION OF THE ANTENNA SUPPORTS SHALL CONFORM TO THE ANSI/EIA/TIA-222-F "STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES". DESIGN WIND SPEED=75 MPH. (64 MPH IN CONJUNCTION WITH 0.5 INCHES RADIAL ICE).
- ALL PROPOSED UTILITIES ARE LOCATED UNDERGROUND.
- ONE (1) PARKING SPACE IS PROPOSED FOR ONE VEHICLE FOR MAINTENANCE ONCE A MONTH.
- THE PROPOSED FACILITY INCLUDES ONE SIGN IN ACCORDANCE WITH FCC RULES ON RADIO FREQUENCY EMISSIONS 47 CFR 1.1307(b).
- THE PROPOSED FACILITY IS NOT WITHIN THE 100 YEAR FLOOD ZONE.

OWNER: \_\_\_\_\_ DATE \_\_\_\_\_

PLANNING BOARD  
CHAIRMAN: \_\_\_\_\_ DATE \_\_\_\_\_

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0 1 2 3  
ORIGINAL SIZE IN INCHES

**TECTONIC** ENGINEERING  
CONSULTANTS P.C.

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

NOV 16 2001

By: \_\_\_\_\_  
2570 ROUTE 9W  
CORNWALL, NEW YORK 12518  
(845) 534-3450

**NEXTEL**

PROJECT NUMBER  
1170.2035

DRAWN BY  
RMB

NO.	DATE	ISSUE
-	3/19/01	FOR COMMENT
1	4/17/01	FOR APPROVAL
2	4/26/01	PER COMMENTS
3	7/3/01	PER TOWN COMMENTS
4	9/21/01	FOR REVIEW
5	9/27/01	FOR PERMIT
6	10/5/01	PER ENGINEER'S COMMENTS

RELEASED BY  
Carolee  
DATE  
10/5/01

## APPROVALS

CONSTRUCTION \_\_\_\_\_ DATE: \_\_\_\_\_

LEASING \_\_\_\_\_ DATE: \_\_\_\_\_

RF \_\_\_\_\_ DATE: \_\_\_\_\_

ZONING \_\_\_\_\_ DATE: \_\_\_\_\_

OWNER \_\_\_\_\_ DATE: \_\_\_\_\_

NETWORK ENG \_\_\_\_\_ DATE: \_\_\_\_\_

NY-2035  
ROCK TAVERN  
INDUSTRIAL PARK  
ROUTE 207  
NEW WINDSOR, NY  
12553

NEXTEL OF NEW YORK INC.  
DBA NEXTEL COMMUNICATIONS  
ONE NORTH BROADWAY  
WHITE PLAINS, NEW YORK 10601  
OFFICE: (914) 421-2600  
FAX: (914) 421-2700

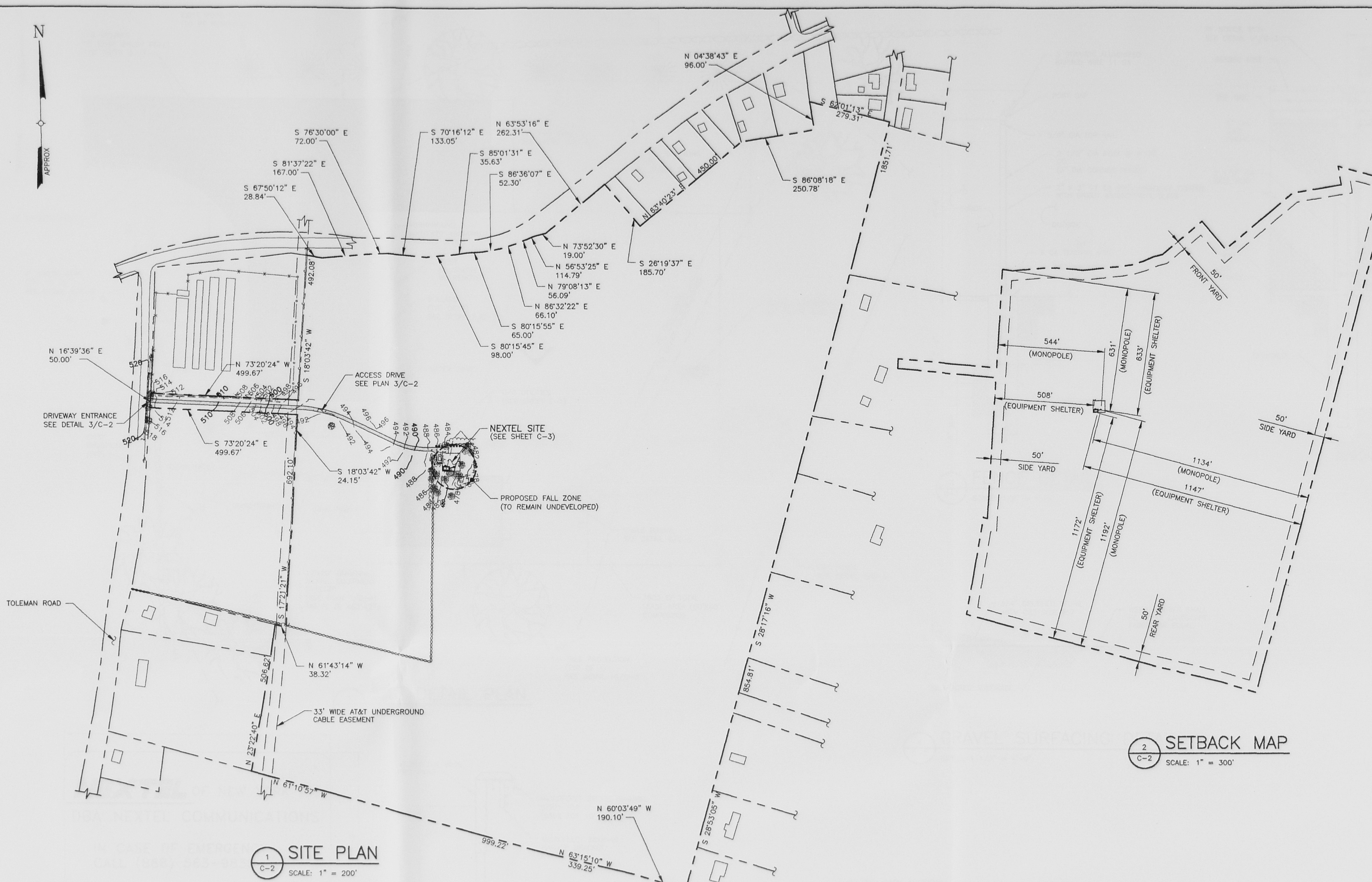
SHEET TITLE

PLOT PLAN & NOTES

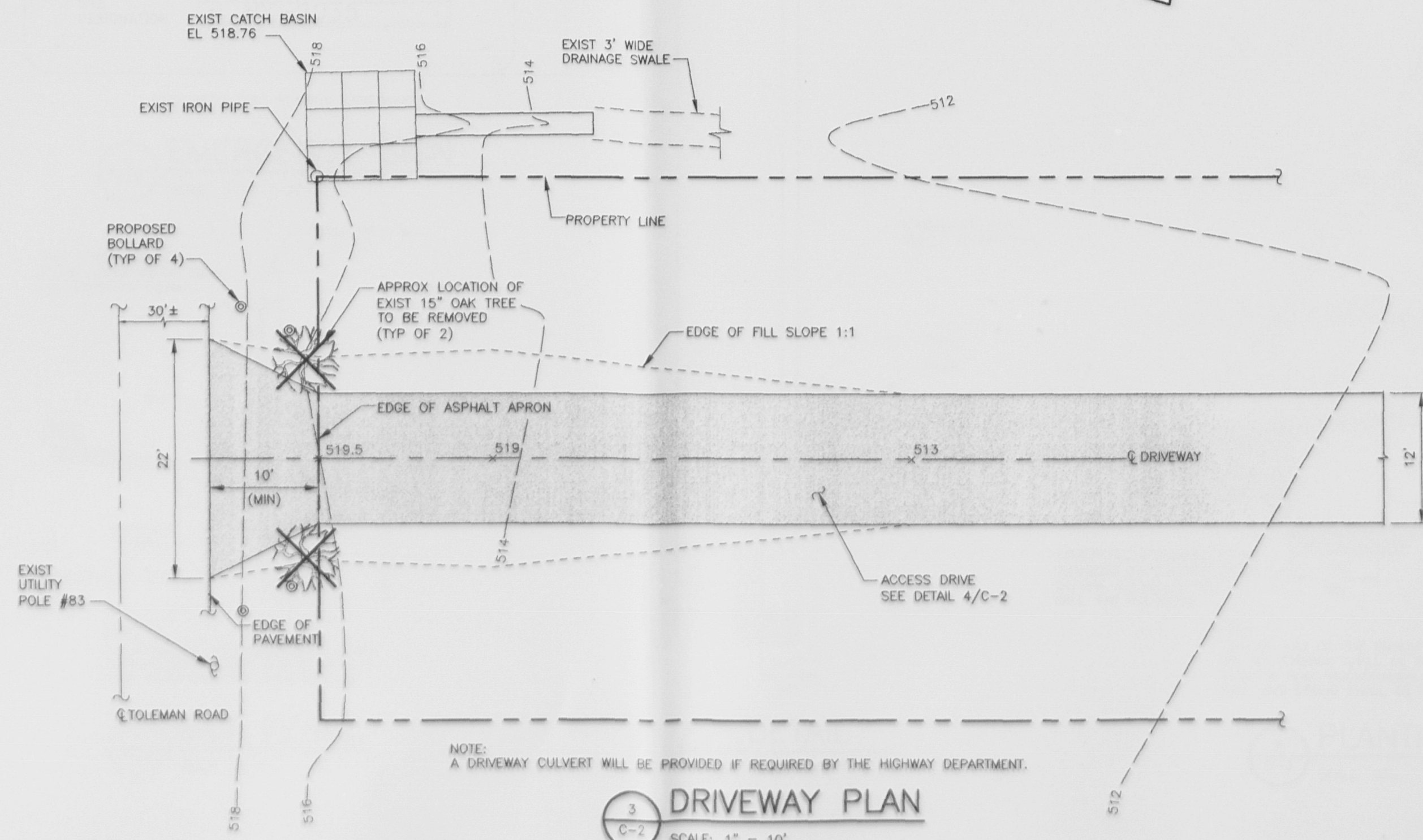
SHEET NUMBER

C-1

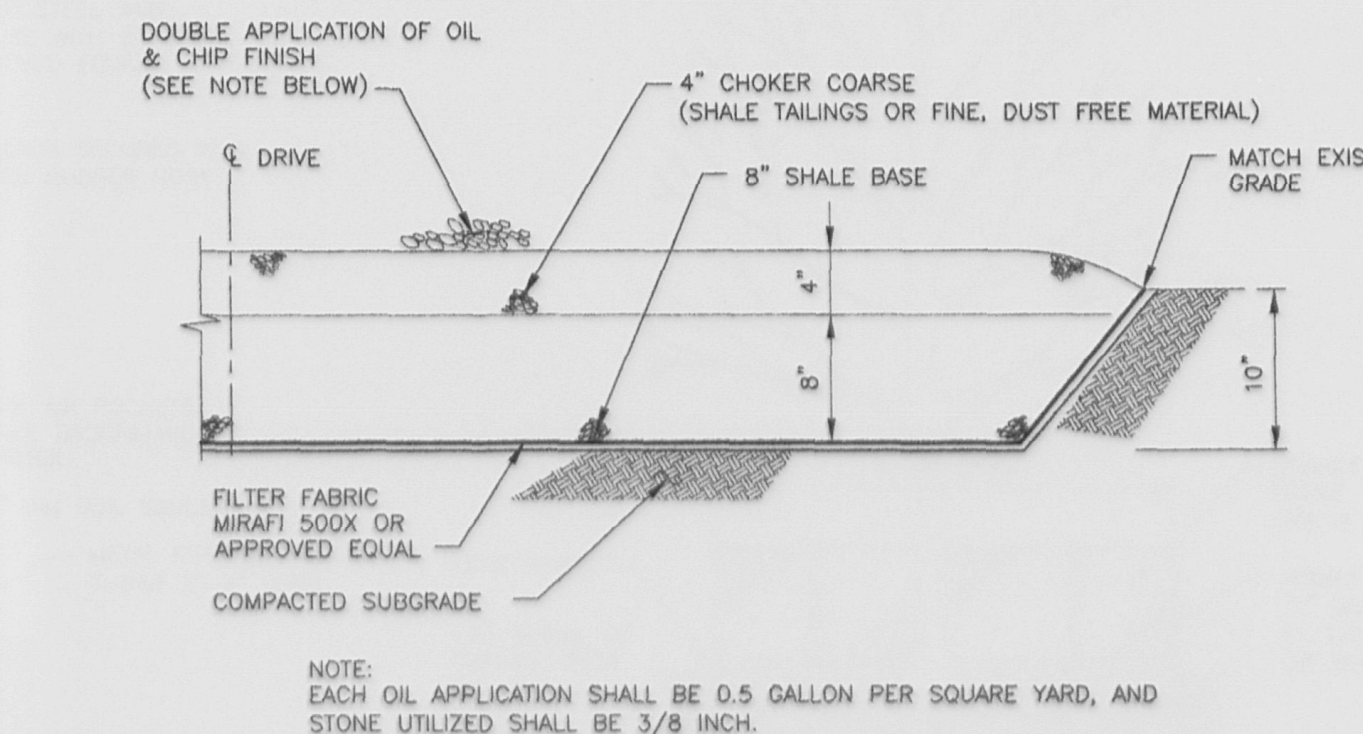




1 SITE PLAN  
SCALE: 1" = 200'



3 DRIVEWAY PLAN  
SCALE: 1" = 10'



4 ACCESS DRIVE  
SCALE: 1" = 1'-0"

2 SETBACK MAP  
SCALE: 1" = 300'

## BULK REQUIREMENTS

TOWN OF NEW WINDSOR  
ZONING DISTRICT: OLI, OFFICE & LIGHT INDUSTRY

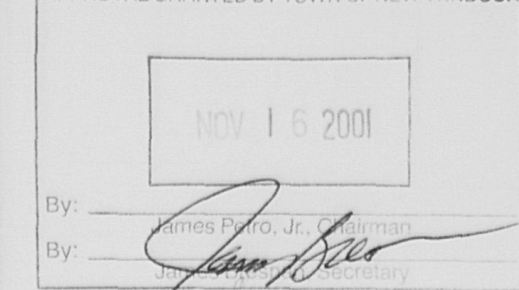
MINIMUM LOT SIZE:	REQUIRED	EXISTING	PROPOSED
AREA:	5 ACRES	84 ACRES	NO CHANGE
	217,798 SF	3,659,012 SF	NO CHANGE
WIDTH:	200 FT	2214 FT±	NO CHANGE
MINIMUM YARDS:			
FRONT YARD:	50 FT	N/A	631 FT
SIDE YARD:	50 FT	N/A	508 FT
TOTAL SIDE YARDS:	100 FT	N/A	1655 FT
REAR YARD:	50 FT	N/A	1172 FT
REQUIRED STREET FRONTAGE	50 FT	1170 FT	NO CHANGE
MAXIMUM BUILDING HEIGHT:	50 FT	N/A	10.5 FT
FLOOR AREA RATIO:	N/A	N/A	N/A
MINIMUM LIVABLE FLOOR AREA:	N/A	N/A	N/A
BUILDING COVERAGE:			
SF	N/A	N/A	268 SF
% OF LOT	N/A	N/A	0.007%
DEVELOPMENT COVERAGE:			
SF	N/A	N/A	525 SF
% OF LOT	N/A	N/A	0.014%
MONOPOLE SETBACK:	75 FT	N/A	544 FT
MINIMUM OFF-STREET PARKING SPACES	1	N/A	1

## LEGEND

	PROPERTY LINE
	ADJACENT PROPERTY LINE
	500' RADIUS
	EXIST INDEX CONTOUR
	EXIST CONTOUR
	CHAINLINK FENCE
	SILT FENCE
	ZONE BOUNDARY
	FIRE DISTRICT
	AGRICULTURAL DISTRICT
	U/G UTILITIES
	EXIST BRUSHLINE
	EXIST TREELINE
	EXIST UTILITY POLE
	EXIST BUILDING

## TECTONIC ENGINEERING CONSULTANTS P.C.

APPROVAL GRANTED BY TOWN OF NEW WINDSOR



2570 ROUTE 9W  
CORNWALL, NEW YORK 12518  
(845) 534-3450

## NEXTEL

PROJECT NUMBER  
1170.2035

DRAWN BY  
RMB

NO.	DATE	ISSUE
-	3/19/01	FOR COMMENT
1	4/17/01	FOR APPROVAL
2	4/26/01	PER COMMENTS
3	7/3/01	PER TOWN COMMENTS
4	9/19/01	REVISED DRIVEWAY PLAN
5	9/21/01	FOR REVIEW
6	9/27/01	FOR PERMIT
7	10/5/01	PER ENGINEER'S COMMENTS
8	11/6/01	REVISED DRIVEWAY DETAIL

RELEASED BY  
Anthony Balle

DATE  
11/6/01

## APPROVALS

CONSTRUCTION \_\_\_\_\_ DATE: \_\_\_\_\_  
LEASING \_\_\_\_\_ DATE: \_\_\_\_\_  
RF \_\_\_\_\_ DATE: \_\_\_\_\_  
ZONING \_\_\_\_\_ DATE: \_\_\_\_\_  
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NETWORK ENG. \_\_\_\_\_ DATE: \_\_\_\_\_

NY-2035  
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INDUSTRIAL PARK  
ROUTE 207  
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12553

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DBA NEXTEL COMMUNICATIONS  
ONE NORTH BROADWAY  
WHITE PLAINS, NEW YORK 10601  
OFFICE: (914) 421-2600  
FAX: (914) 421-2700

## SHEET TITLE

SITE PLAN, SETBACK  
MAP & DETAILS

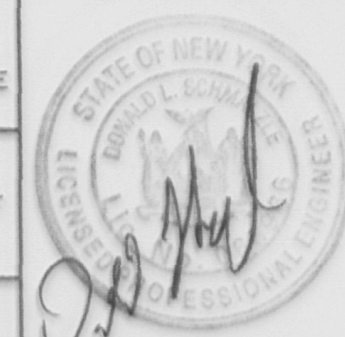
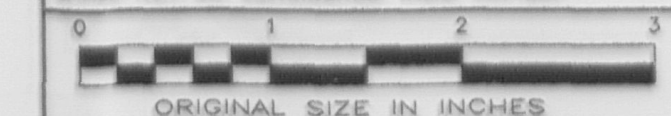
## SHEET NUMBER

C-2

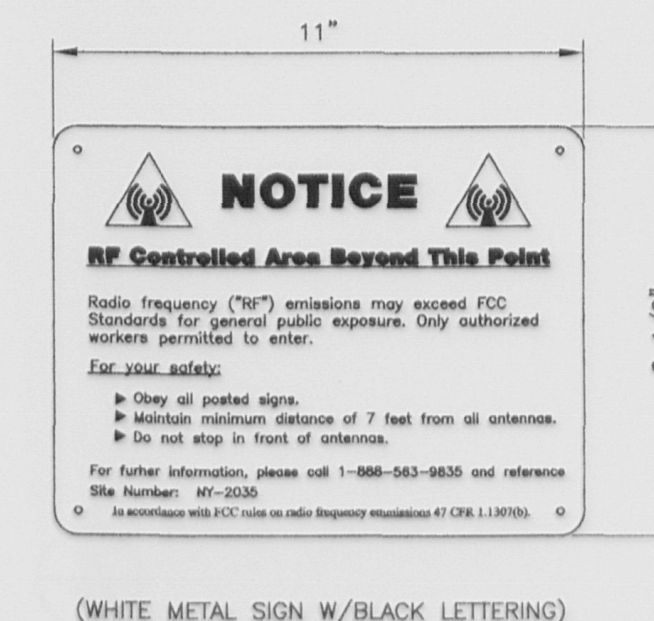
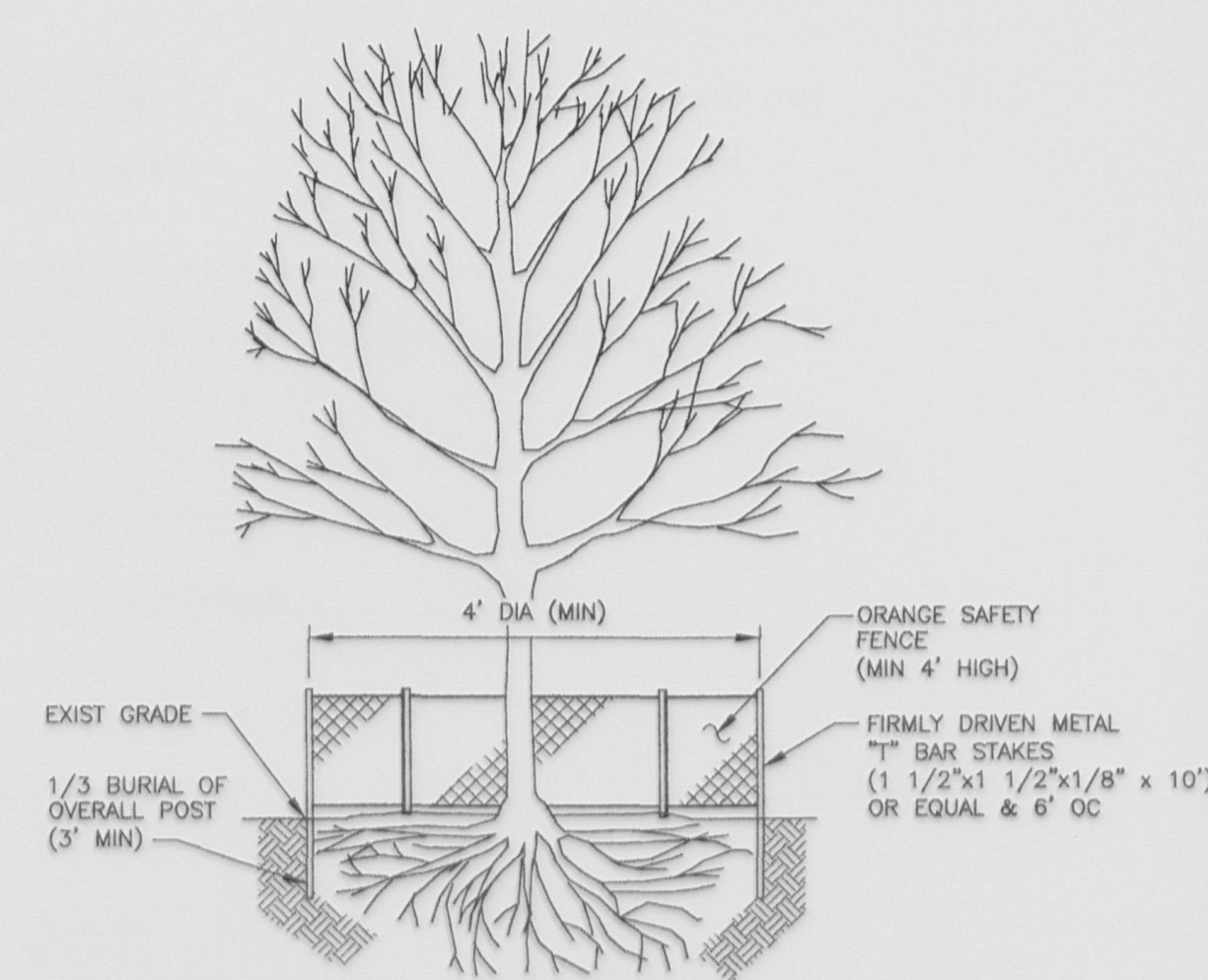
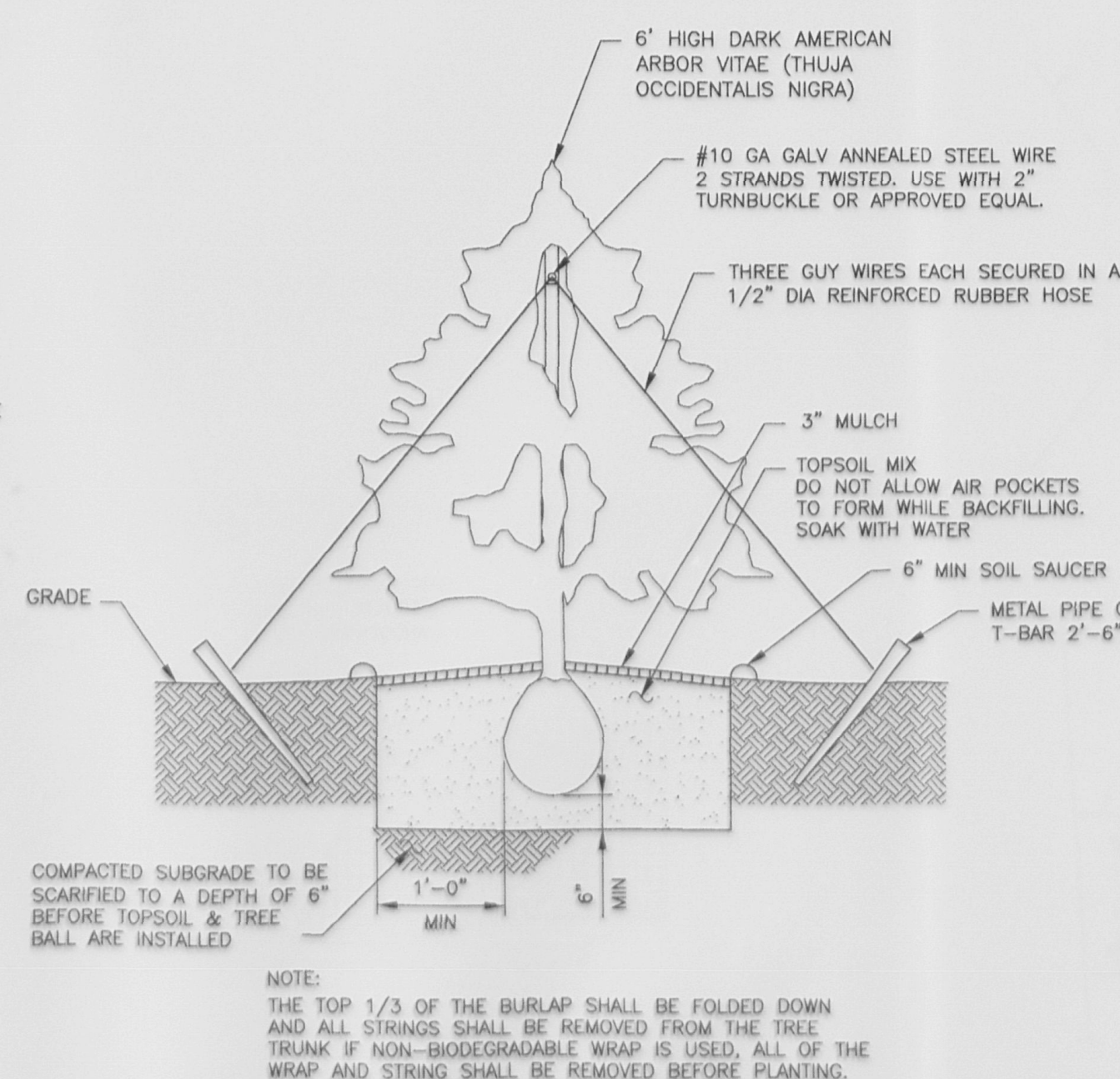
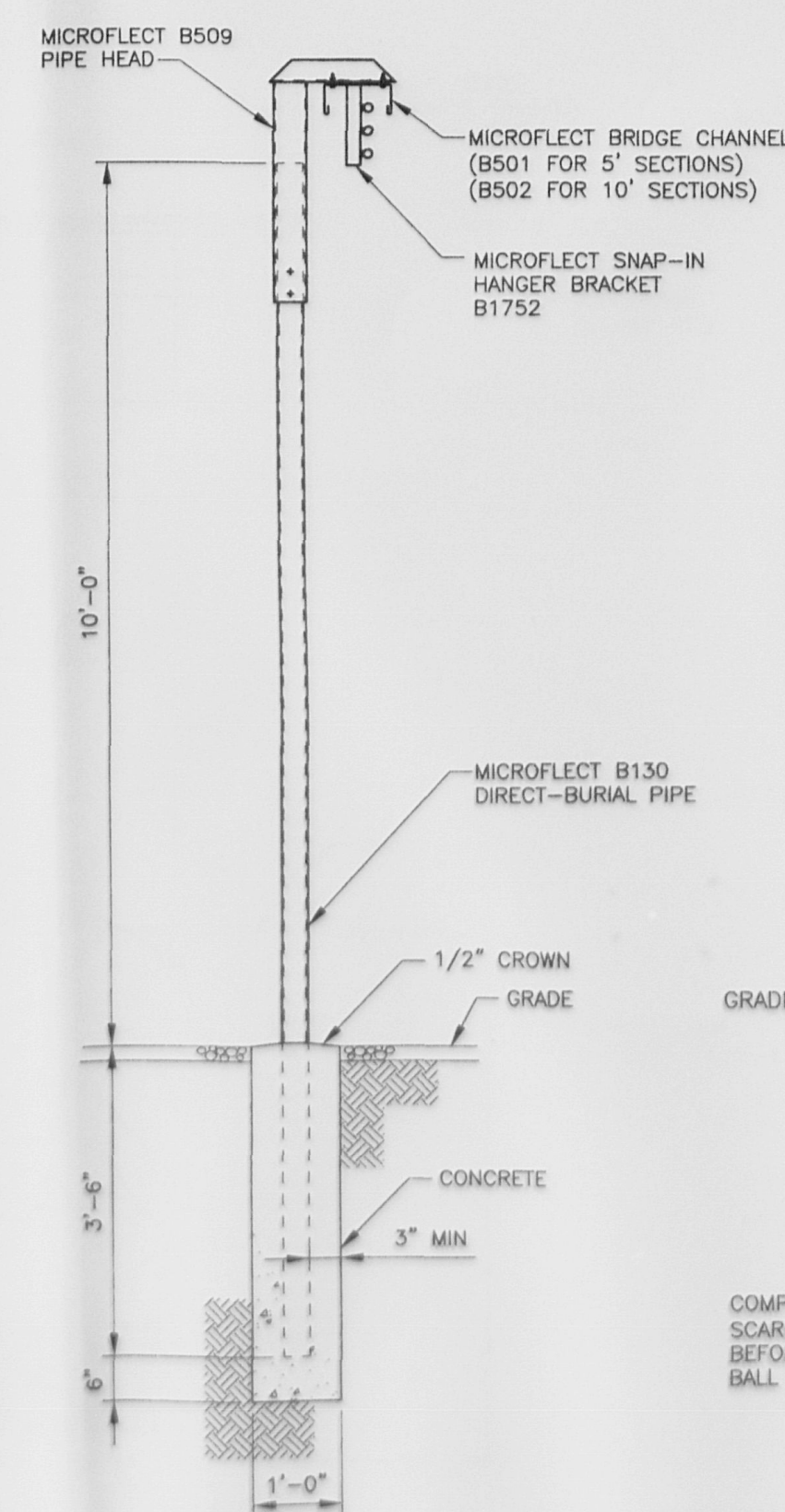
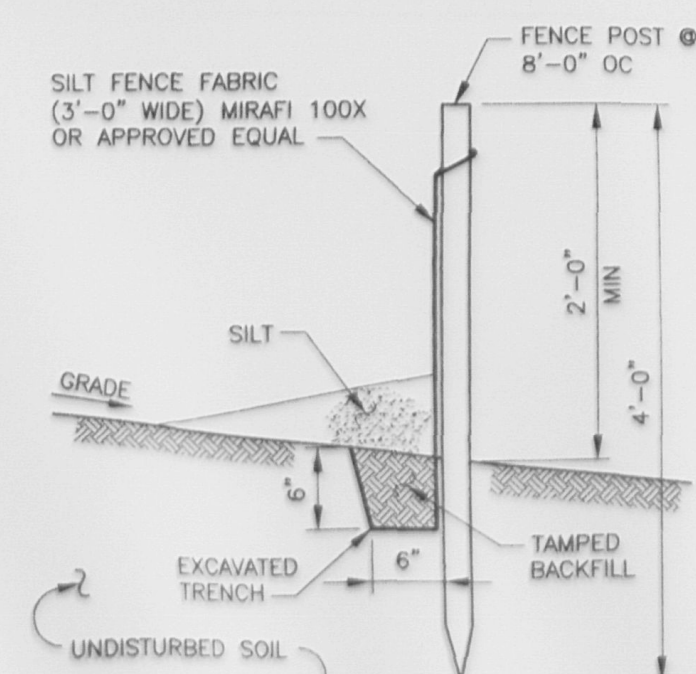
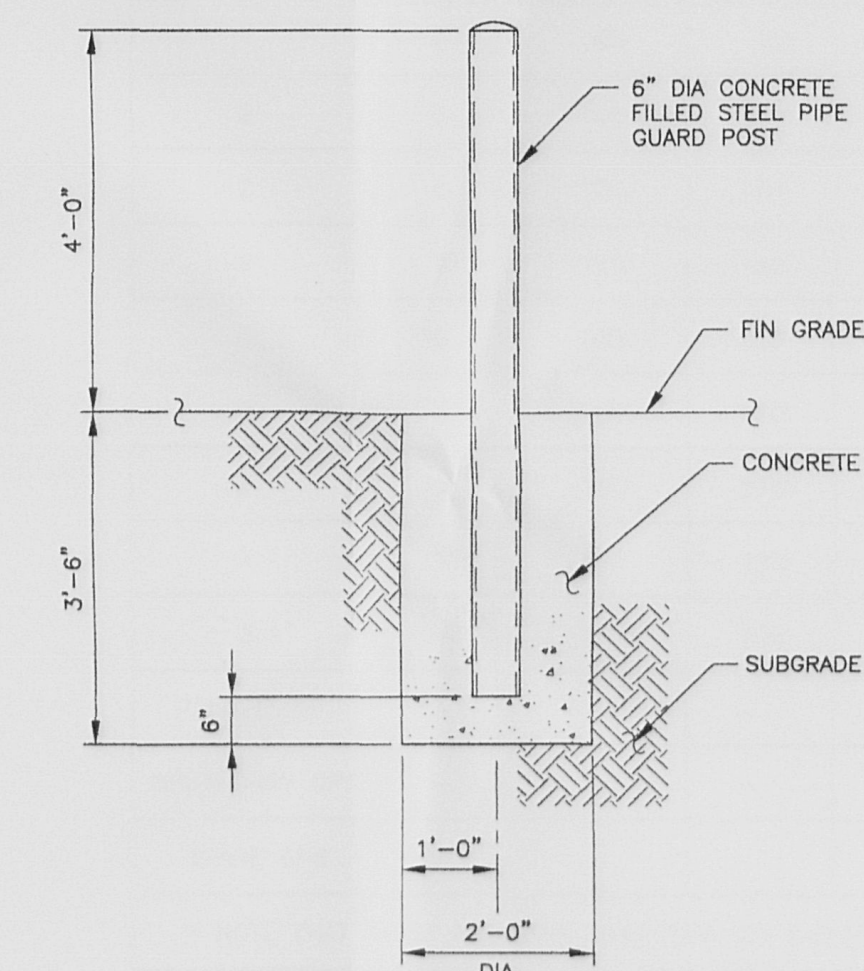
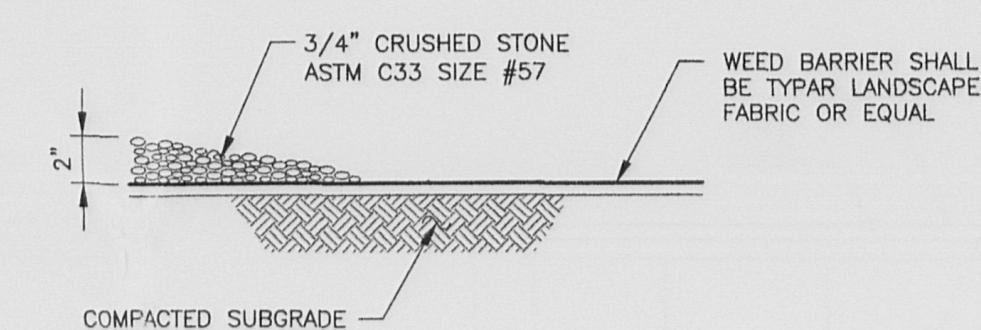
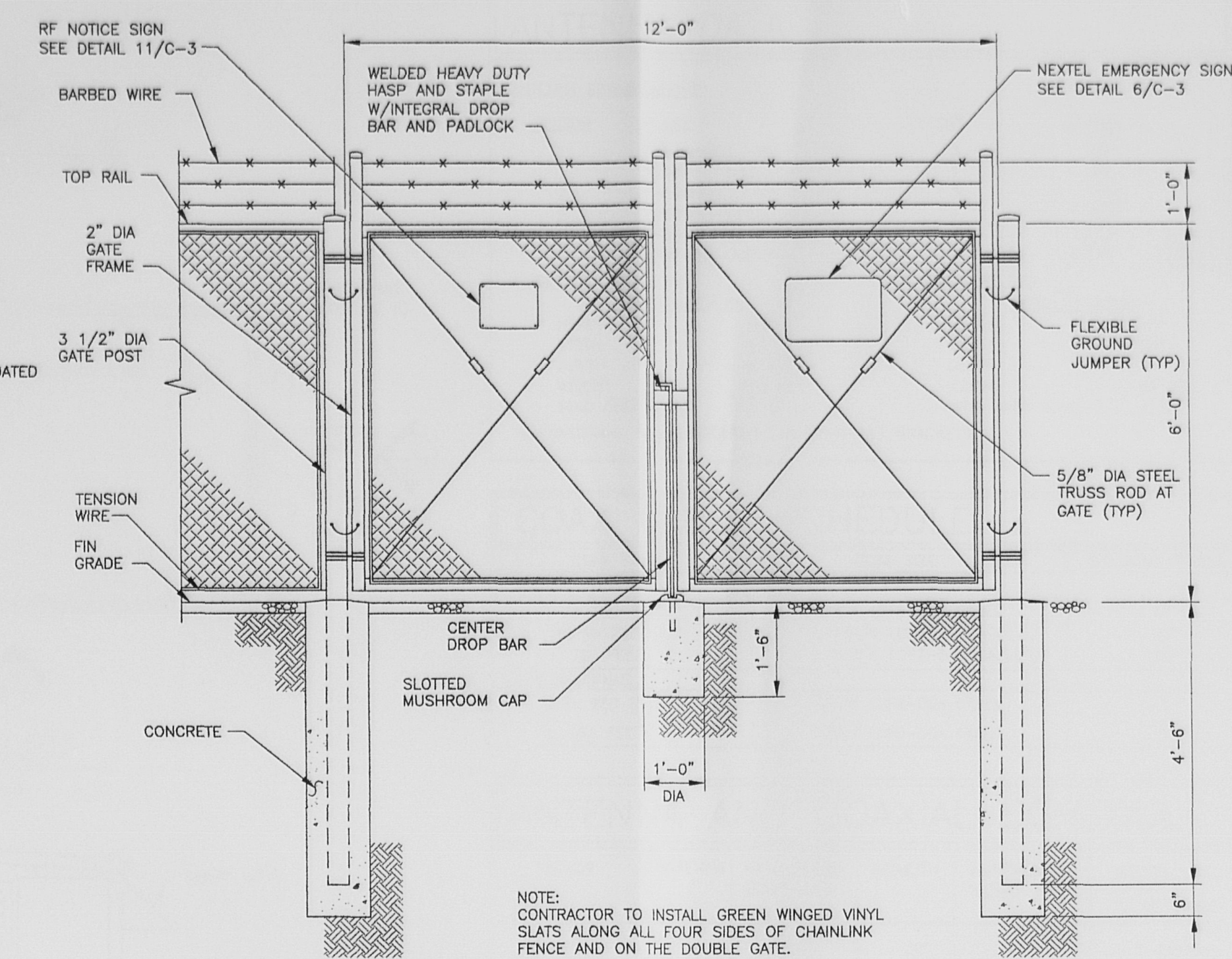
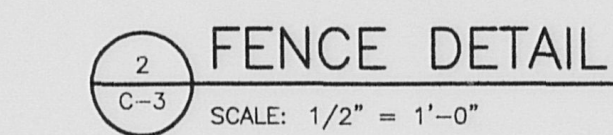
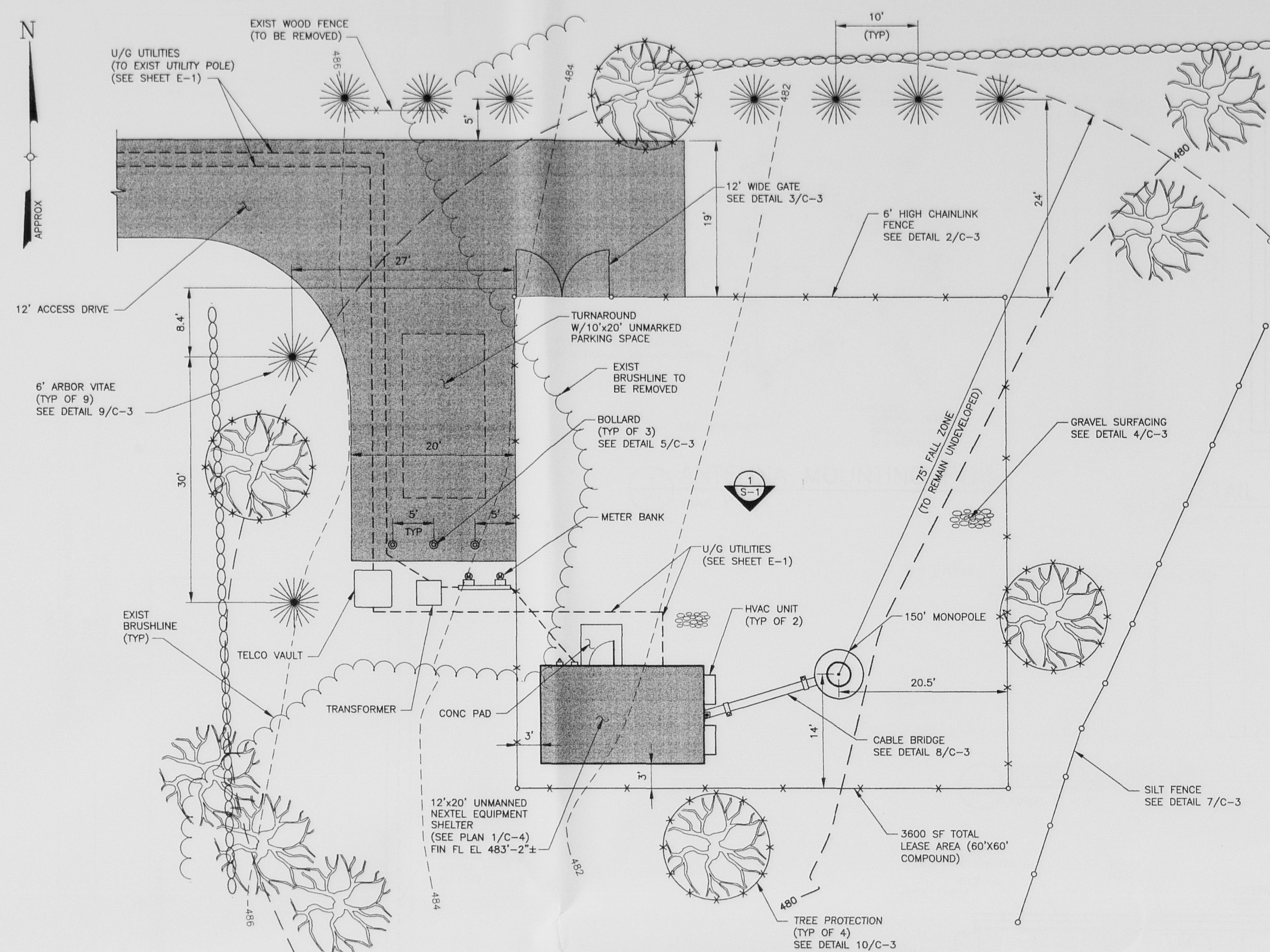
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CHAIRMAN: \_\_\_\_\_ DATE: \_\_\_\_\_



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**TECTONIC** ENGINEERING CONSULTANTS P.C.

APPROVAL GRANTED BY TOWN OF NEW WINDSOR

NOV 16 2001

By: James Castro, Jr. Chairman

By: [Signature] Secretary

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**NEXTEL**

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1170.2035		KG	
NO.	DATE	ISSUE	
-	3/19/01	FOR COMMENT	
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RELEASED BY		DATE	
Casper		10/5/01	

## APPROVALS

CONSTRUCTION	DATE:
LEASING	DATE:
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NETWORK ENG	DATE:

NY-2035  
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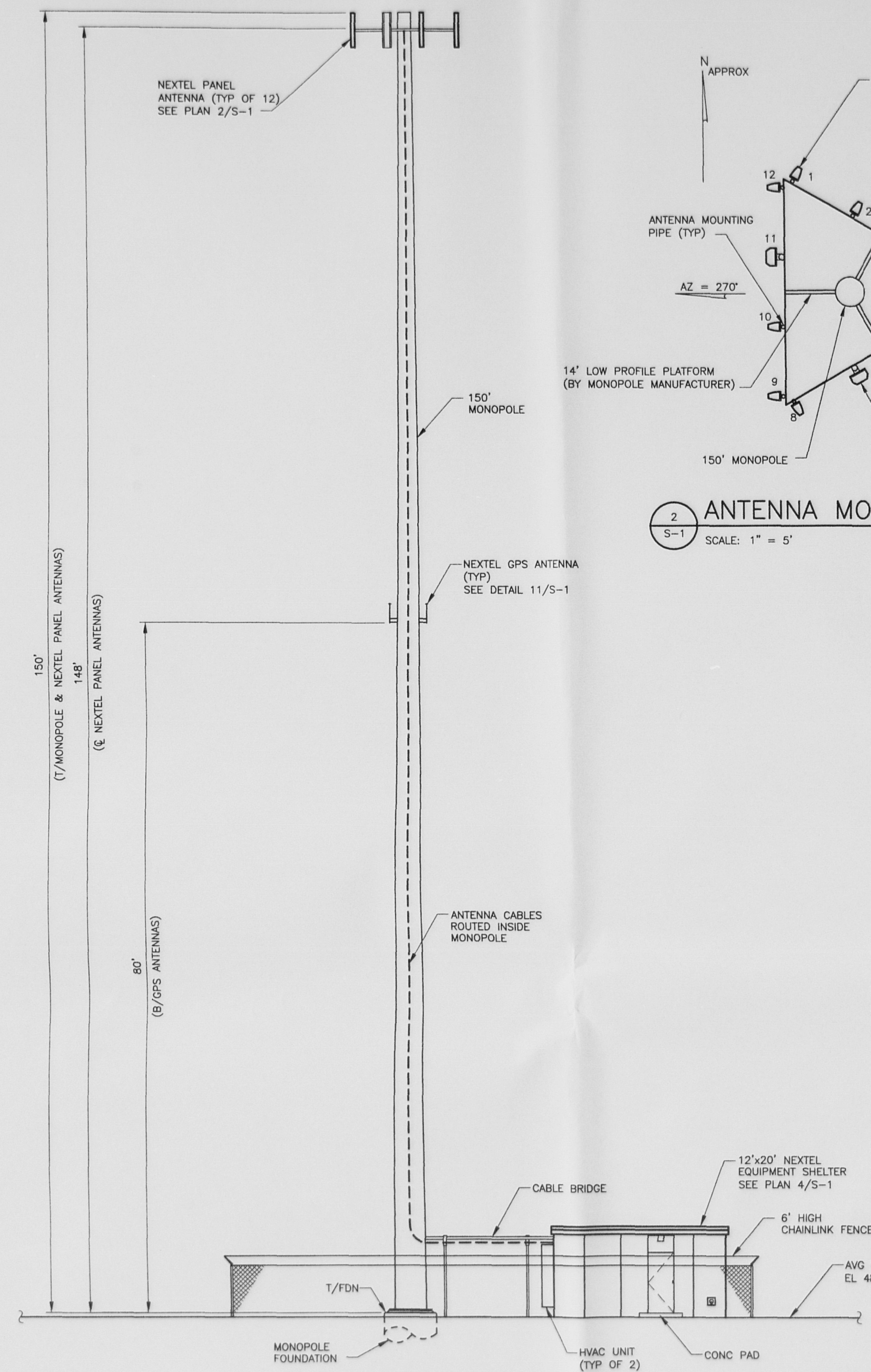
SHEET TITLE

## SITE DETAIL PLAN & DETAILS

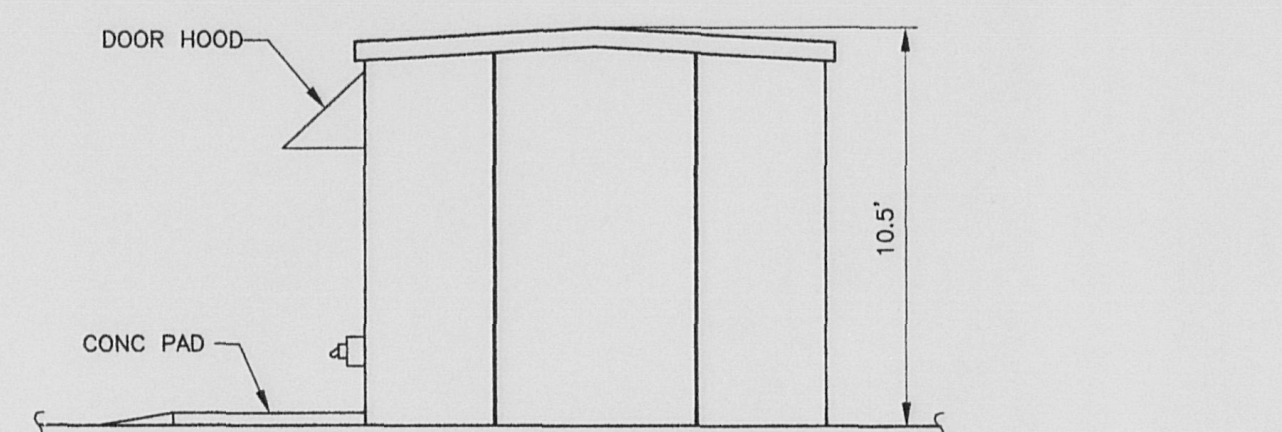
SHEET NUMBER

C-3

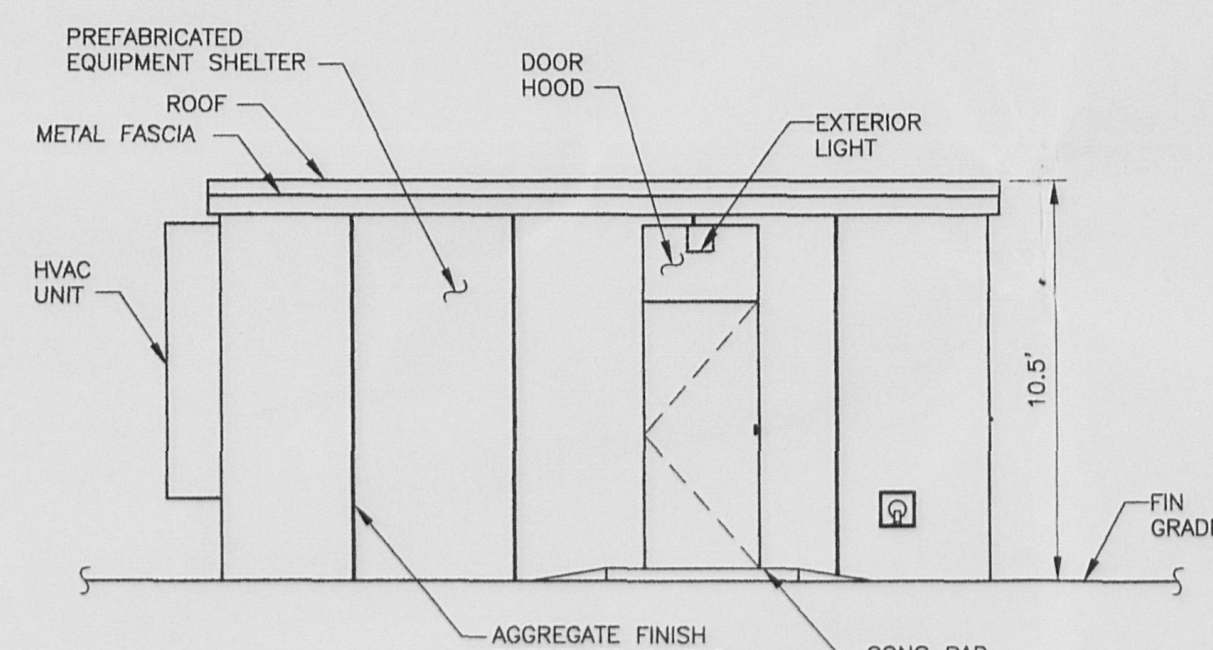




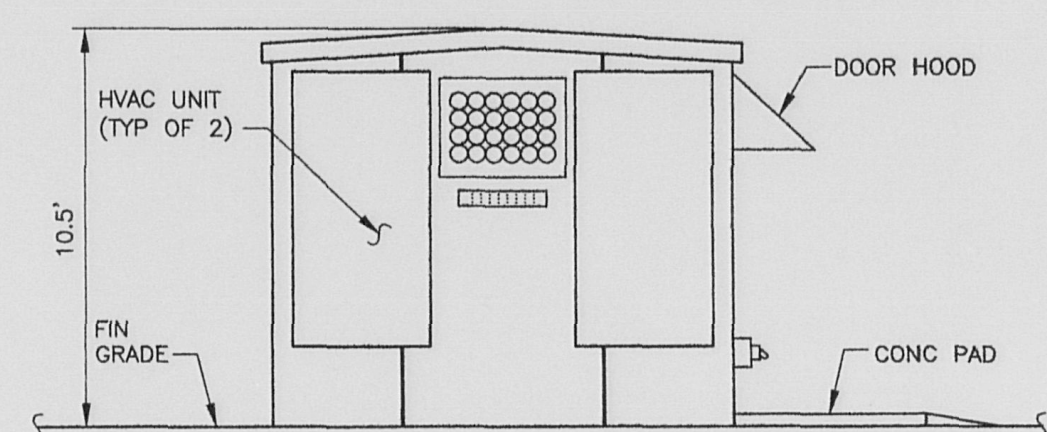
2 ANTENNA MOUNTING PLAN  
S-1 SCALE: 1" = 5'



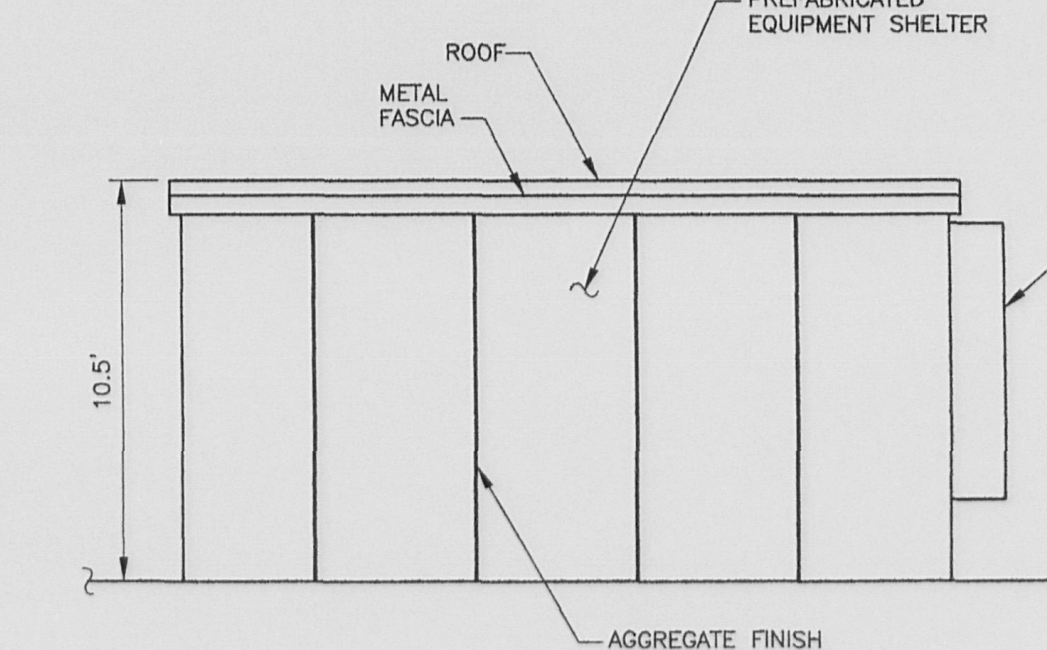
3 DETAIL  
S-1 SCALE: 1" = 1'-0"



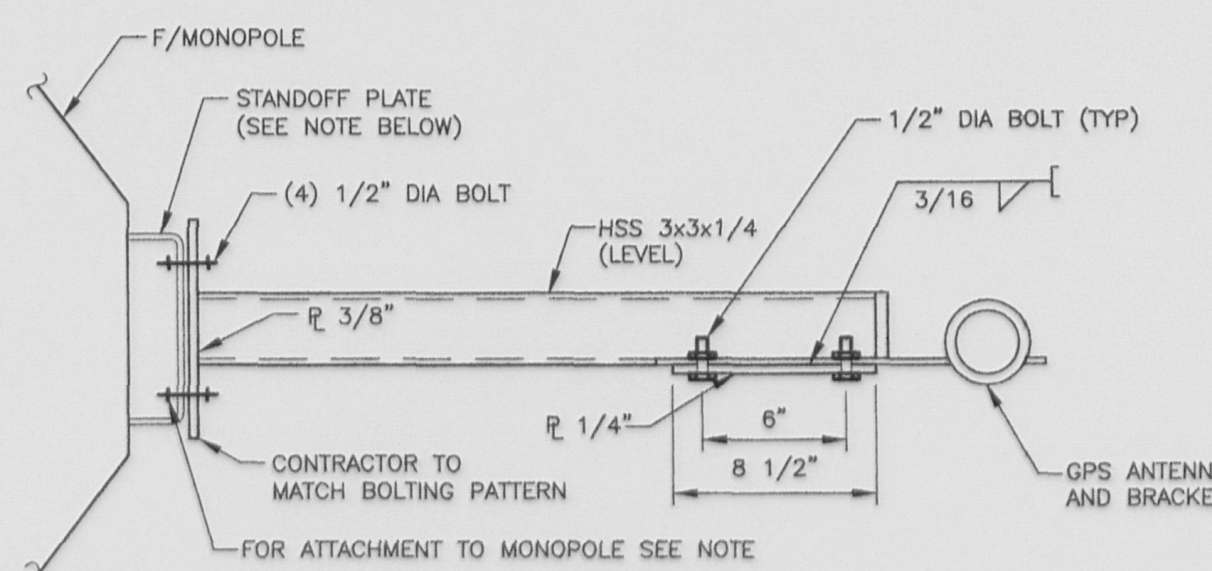
5 SIDE ELEVATION  
S-1 SCALE: 1" = 5'



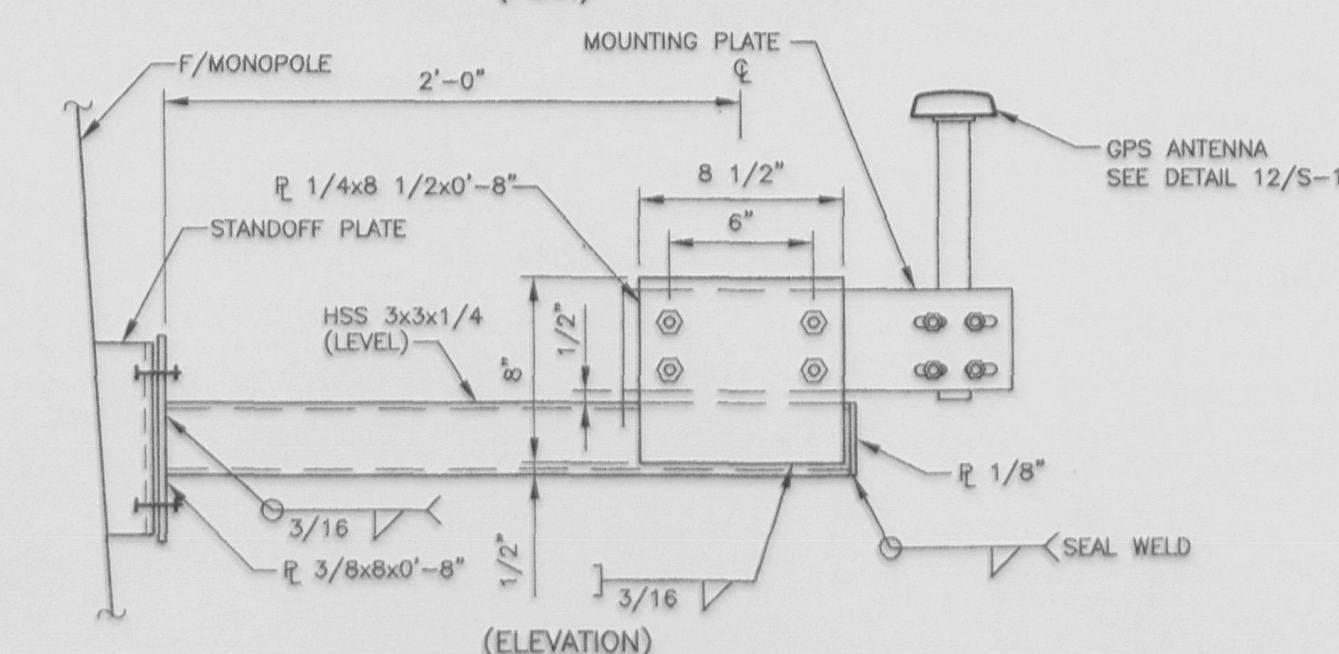
6 SIDE ELEVATION  
S-1 SCALE: 1" = 5'



7 FRONT ELEVATION  
S-1 SCALE: 1" = 5'



8 REAR ELEVATION  
S-1 SCALE: 1" = 5'



9 LIGHTING PLAN  
S-1 SCALE: 1" = 20'

10 DETAIL  
S-1 SCALE: 1 1/2" = 1'-0"

11 GPS ANTENNA MOUNT  
S-1 SCALE: 1 1/2" = 1'-0"

## ANTENNA DATA

### ANTENNA SPECIFICATIONS

SECTOR	MODEL	QTY	AZIMUTH
1	DB844H90(E)-XY	3	30°
1	RR90-12-00DA2	1	30°
2	DB844H90(E)-XY	3	150°
2	RR90-12-00DA2	1	150°
3	DB844H90(E)-XY	3	270°
3	RR90-12-00DA2	1	270°

DECIBEL PRODUCTS	EMS WIRELESS
DB844H90(E)-XY	RR90-12-00DA2
HEIGHT 48"	HEIGHT 48"
WIDTH 6"	WIDTH 12"
DEPTH 8 1/2"	DEPTH 7"
WEIGHT 10 LBS	WEIGHT 21 LBS
WIND AREA (CxA) 2 SF	WIND AREA (CxA) 4 SF

ALL ANTENNAS TO BE MOUNTED ON DOWN-TILT BRACKETS.

## COAX CABLE SCHEDULE

COAX RUN	COAX SIZE	MIN BEND RADIUS
SECTOR ANTENNAS:		
0 to 150 FEET	7/8" LDF5-50A CABLE	15"
150 to 220 FEET	1 1/4" LDF6-50A CABLE	20"
> 220 FEET	1 5/8" LDF7-50A CABLE	25"
GPS ANTENNAS:		
0 to 250 FEET	1/2" LDF4-50A CABLE	15"
> 250 FEET	7/8" LDF5-50A CABLE	15"

## ANTENNA AND COAXIAL SCHEDULE

SECTOR	ANTENNA #	MECHANICAL DOWN TILT	AZIMUTH	ANTENNA @ HEIGHT (AGL)	COAXIAL CABLE COLOR MARK
1	1	TBD	30°	148'-0"	1 GREEN
1	2	TBD	30°	148'-0"	1 WHITE
1	3*	TBD	30°	148'-0"	1 BLUE 1 VIOLET
1	4	TBD	30°	148'-0"	1 RED
2	5	TBD	150°	148'-0"	2 GREEN
2	6	TBD	150°	148'-0"	2 WHITE
2	7*	TBD	150°	148'-0"	2 BLUE 2 VIOLET
2	8	TBD	150°	148'-0"	2 RED
3	9	TBD	270°	148'-0"	3 GREEN
3	10	TBD	270°	148'-0"	3 WHITE
3	11*	TBD	270°	148'-0"	3 BLUE 3 VIOLET
3	12	TBD	270°	148'-0"	3 RED
PRIMARY GPS	-	-	-	81'-6"	1 YELLOW
SECONDARY GPS	-	-	-	81'-6"	2 YELLOW
SPARE GPS	-	-	-	81'-6"	3 YELLOW

\* NOTE THAT THESE ANTENNAS HAVE TWO (2) CABLES EACH.

12 GPS ANTENNA  
S-1 SCALE: 3" = 1'-0"

OWNER: \_\_\_\_\_ DATE \_\_\_\_\_

PLANNING BOARD CHAIRMAN: \_\_\_\_\_ DATE \_\_\_\_\_

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PROJECT NUMBER 1170.2035  
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NO.	DATE	ISSUE
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RELEASED BY: \_\_\_\_\_ DATE: 10/5/01

## APPROVALS

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NY-2035  
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SHEET TITLE

ELEVATION & DETAILS

SHEET NUMBER

S-1